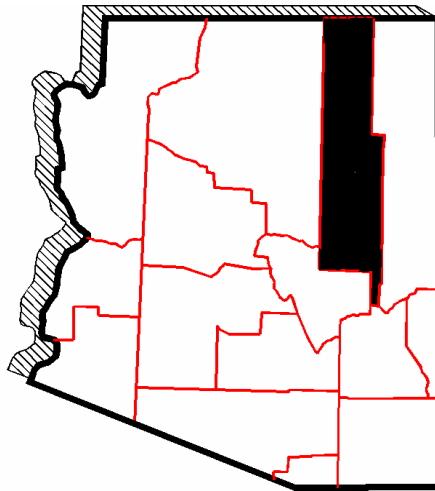




NAVAJO COUNTY

PERSONNEL POLICIES MANUAL



December 1, 2010

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INTRODUCTION

These policies are intended to provide a uniform system of personnel administration, to protect and clarify the rights and responsibilities of Navajo County employees, and to promote communication between the County and its employees.

These policies apply to all County employees unless specifically excluded.

This policy manual is intended to comply with relevant federal and state laws. In the event that there is a conflict, the federal and state laws take precedence. In the event of any amendment of federal and/or state law, ordinances, etc., the policies and procedures set forth in this manual will be deemed amended in accordance with those changes.

Navajo County specifically reserves the right to appeal, modify, or amend these policies at any time, with or without notice. The provisions shall be deemed neither to create a vested or contractual right in any employee nor limit the power of the Board of Supervisors or County Manager to repeal or modify these policies. These policies are not to be interpreted as promises of specific treatment.

CONDITIONS OF EMPLOYMENT:

A. Loyalty Oath

All employees must read and sign a loyalty oath as required by ARS 38-231.

B. Code of Ethics

1. County employees are to maintain high standards of honesty, integrity and impartiality for the proper and efficient conduct of County business.
2. Official positions shall not be used for personal gain. Public influence and confidential information shall not be turned into personal advantage. All items produced or created by employees during working hours shall become the sole property of Navajo County.
3. Employees should avoid situations that lead to garnishment of wages.
4. Employees shall not accept or solicit, directly or indirectly, anything of economic value such as a gift, gratuity, favor, entertainment or loan which is or may appear to be designed to influence official conduct in any manner. This does not prohibit the acceptance by an employee of food, refreshment or entertainment of insignificant value or infrequent occasions where the employee is properly in attendance; nor the solicitation or acceptance of loans to finance proper and usual activities of the employee; nor the acceptance of unsolicited advertising or promotional materials and other items of nominal intrinsic value.
5. Employees shall observe all rules, policies and procedures contained herein.

- C. Post-Offer Physical Examination:
A post-offer physical examination may be required prior to beginning employment. The clinic, hospital and/or physician shall be designated by the County and the exam will be at the County's expense. The physical examination may include drug and/or alcohol screening.
- D. Post-Offer Psychological Examination:
A post-offer psychological examination may be required prior to beginning employment. The clinic, hospital and/or physician shall be designated by the County and the exam will be at the County's expense.
- E. Drug Conviction:
As outlined in Section 5.33 (J), as a condition of employment any employee convicted of a drug statute shall notify his/her Department Director or Elected Official no later than 5 days after such conviction.
- F. Use of a Tape Recorder:
Under no circumstances, shall an employee use a tape recorder or any other recording device to record any conversation, meeting, proceeding, etc., without the consent of all parties present.

SECTION 1: EMPLOYMENT

- 1.1 Equal Employment Opportunity
- 1.2 Recruitment and Selection Process
- 1.3 Probationary Period
- 1.4 Performance Evaluation
- 1.5 Employment Status
- 1.6 Layoff, Recall, Resignation and Re-employment
- 1.7 Americans with Disabilities Act
- 1.8 Employee Records
- 1.9 Employee Property, Workplace Privacy Limitations,
Dress Codes & Breaks
- 1.10 Constructive Discharge

1.1 EQUAL EMPLOYMENT OPPORTUNITY

1.11 Policy:

It is the policy of Navajo County to provide equal opportunity in employment to all job applicants. The County shall not discriminate on the basis of race, religion, color, sex, age (40 and above), national origin, veterans, disability or any other basis prohibited by federal or state laws. The County shall neither refuse to appoint or promote, nor choose to suspend, demote or discharge an employee based on these factors. The County shall not discriminate in compensation or in other terms and conditions of employment.

1.12 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

1.2 RECRUITMENT AND SELECTION

1.21 Policy:

The goal of the recruiting and selection process is to attract, retain and promote qualified applicants and to do so in a manner that complies with all state and federal employment laws. Within this context, the County has the exclusive right to determine the best manner to conduct its recruiting and selection efforts, recognizing that the process may vary with each individual job.

The following broad guidelines shall apply to the recruitment and selection processes:

- A. At the discretion of the Elected Official or Department Director, vacant positions shall be designated and posted as one of the following
 - 1. Intra-Departmental
 - 2. County-Wide
 - 3. Open
- B. When recruiting to fill vacant positions, preference may be granted to current County employees. Elected Officials and/or Department Directors wishing to give preference to County employees in the recruitment process shall designate the recruitment as either an Intra-Departmental or County-wide posting.
- C. Elected Officials or Department Directors may, at any time, choose to change the recruitment designation from "Intra-Departmental" to a "County-Wide" or "Open" posting.
- D. Elected Officials or Department Directors may, at any time, choose to change the recruitment designation from "County-Wide" to an "Open" posting.
- E. If examinations for employment are necessary, they will be conducted on a competitive basis. The testing will be designed to be internally consistent and to fairly measure the skills required to successfully perform the duties of the position.

1.22 Coverage:

This policy covers recruitment and selection for all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

1.23 Job Vacancy Announcements:

- A. Job vacancy announcements will be posted on a regular basis at the County Administration Complex and on the County Website. Human Resources will disseminate postings and advertise the positions with the appropriate media.

(1.23 cont.)

- B. The job vacancy announcements will include basic information about each position such as the title, department, salary range, and worksite.

1.24 Selection and Hiring Process:

- A. It is the policy of Navajo County to follow the process outlined below when selecting and hiring applicants for vacancies.
1. When an approved budgeted position becomes vacant, the Elected Official or the Department Director will submit a Personnel Requisition Form to Human Resources. The Personnel Requisition Form shall designate the job vacancy announcement as "Intra-Departmental", "County Wide" or "Open".
 2. Upon receipt of the Personnel Requisition, Human Resources will seek applications through various recruiting efforts.
 3. Applications are collected at various County locations and forwarded to Human Resources. Everyone, including a current employee applying for a position, shall complete an employment application for the relevant position. Incomplete or unsigned applications will not be considered. Applications must be received by Human Resources on or before the closing date on the job vacancy announcement.
 4. Human Resources sends a postcard to all applicants telling them their application was received and is being processed and thanking them for their interest. Applications for all candidates will be maintained by Human Resources for six months.
 5. Human Resources evaluates applications for desirable qualifications, marks each application as "meets" or "does not meet" and e-mails all applications to the appropriate Elected Official or Department Director.
 6. Elected Official or Department Director schedules and conducts interviews with applicants and performs pre-employment testing. In the interest of saving time and expense, the County may choose to limit the number of applicants interviewed. Not every applicant will necessarily be interviewed.
 7. Elected Official or Department Director selects an applicant to fill the open position and informs Human Resources. If the selected applicant does not meet the desirable qualifications for the position, rationale for the selection must be provided and documented on the Personnel Action Form.

(1.24 cont.)

8. Human Resources conducts required background checks.
 9. Elected Official or Department Director conducts reference checks and verifies past employment.
 10. If background and reference checks are acceptable, the Elected Official or Department Director completes the Personnel Action Form and forwards to Human Resources, along with all applications/resumes, interview notes, test results, etc. for all applicants.
 11. Human Resources processes the applicant and presents to the Board of Supervisors for approval.
 12. Human Resources forwards the Personnel Action Form to Payroll.
 13. The new employee starts work.
 14. Elected Official or Department Director sends a rejection letter to all applicants who were interviewed but not hired.
 15. The new employee attends County orientation within first two weeks of employment (except Sheriff's Office employees).
 16. All judicial employees attend judicial orientation within first 90 days of employment.
 17. Sheriff's Office employees attend department orientation within first 30 days of employment.
- B. A newly created position (a non-budgeted position) must be approved by the Board of Supervisors prior to being filled. Once approved, the process outlined above, 1.24 (A) (1 – 17) will be followed.
- C. Temporary positions – Justification for temporary positions shall be submitted to Human Resources. The Board of Supervisors' approval is required if employment is for more than 30 days. The County Manager may approve up to four weeks of employment and the Human Resources Director up to two weeks. The position title, salary, duration of employment and other information will be coordinated with Human Resources. The process outlined above, 1.24 (A)(1–17) does not apply to temporary appointments.

1.25 Employee Promotions and Transfers:

- A. Generally, employees are expected to stay in a position for at least six months before applying for a promotion or a transfer. Exceptions to this general rule will

(1.25 cont.)

be based on business necessity and will be considered on a case-by-case basis.

A promotion or transfer within the probationary period requires the approval of the current department.

- B. The County reserves the right to transfer, promote or temporarily detail employees within or between departments as required by business necessity without following the standard selection and hiring process identified above.

1.26 Disqualification:

Human Resources may refuse to examine an applicant, or after evaluation, may disqualify an applicant if it is found that the individual:

- A. Does not meet the minimum qualifications established for the position;
- B. Is determined to be physically or mentally unable to effectively or safely perform the duties of the position applied for as long as such determination is not in violation of the Americans with Disabilities Act (ADA);
- C. Uses or has used controlled substances or other substances in a manner which may affect the applicant's ability to safely, effectively and dependably perform the duties of the position;
- D. Has used or attempted to use political pressure or unethical methods to secure an advantage in the evaluation process or in the appointment to a position within the County;
- E. Has made a false statement of material fact in the selection process;
- F. Has directly or indirectly obtained information regarding any selection process to which the applicant is not entitled;
- G. Has failed to submit the completed application correctly or within the prescribed time limits as described in Section 1.24 (C).
- H. Has taken part in the evaluation, compilation, administration or any related aspect of the selection process, for which they are competing;
- I. Has previously been discharged from a County position for a disciplinary reason or resigned from County employment without proper notice;
- J. Has been convicted of a crime or has a record of convictions the nature of which would affect the applicant's suitability for employment;
- K. Has failed to appear for a scheduled interview;
- L. Has failed any qualifying phase of the selection process;
- M. Has a non-renewed application that has been on file for more than sixty (60) days;
- N. Has a record of unsatisfactory performance on previous jobs;
- O. Supports or belongs to any organization which advocates the illegal overthrow of the government of the United States, the State of Arizona or the County of Navajo;
- P. Has a disqualifying relationship to a current County employee as described in section 1.27 below;

(1.26 cont.)

- Q. Has been determined by Human Resources to be unsuitable for employment for any other job-related reason.

1.27 Hiring of Relatives (Nepotism):

No person shall be allowed to work in any position that is directly supervised by a relative as described in A.R.S. § 38-502. This statute defines a relative as a spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse.

1.28 Background Checks:

- A. It is the policy of Navajo County to check the background of each applicant selected for employment with the County. The following checks will be done for every applicant selected for employment, regardless of position:
1. Criminal background check (federal, state and local)
 2. Motor vehicle record check
 3. Reference check
 4. Verification of former employment
 5. Verification of employment eligibility
 6. Sex offender database check
- B. For positions which require a college degree or an advanced degree, applicant's attainment of such a degree shall be verified.
- C. For positions which require a license or certification, applicant's possession of such license or certification shall be verified.
- D. Human Resources shall be responsible for conducting the background checks listed above, with the exception of the reference check and verification of former employment. These shall be the responsibility of the hiring department.

1.29 Errors and Omissions:

After appropriate review, the Human Resources Director may approve an adjustment to the status of an applicant or a candidate for appointment to rectify an error or omission.

1.3 EMPLOYEE PROBATION

1.31 Policy:

All new, promoted, demoted, and transferred employees shall be subject to a probationary period. The purpose of the probationary period is to monitor performance as well as to ensure that the employee is effectively learning and performing the duties and responsibilities of the position.

- A. All employee probationary periods are periods of **AT-WILL** employment. Employees serving probationary periods may be terminated with or without cause and without recourse to the grievance process.
- B. Successful completion of a probationary period in no way restricts the right of the County to separate any employee from the County employ at a later date for any reason provided for by these rules.
- C. An employee serving a probationary period who is granted an extended period of leave shall have the probationary period extended for the length of such leave upon return to County service.
- D. Employees that resign or terminate employment during the probationary period shall not be compensated for any accrued annual leave.

1.32 Coverage:

This policy applies to all classified and unclassified positions, except temporary, emergency, volunteer, and work-study appointments. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

1.33 Duration of Probation

A. New Employees

- 1. The probationary period for any new employee, except those listed below, shall be six (6) months. The Department Director/Elected Official may extend the probationary period of the employee, in writing, for an additional three (3) months.
- 2. The new employee probationary period for a Deputy Sheriff I and Deputy Sheriff II shall be twelve (12) months. The Department Director/Elected Official may extend the probationary period of the employee, in writing, for an additional six (6) months.
- 3. An employee may be transferred or promoted during a new employee probationary period only with the approval of the current Department Director/Elected Official. In addition, the employee must begin a new 6-month or 12-month probationary period with the new Department.

(1.33 cont.)

4. Employees serving an initial probationary period shall accrue annual leave in accordance with these policies.

B. Probation for Regular Employees that have been Promoted, Demoted or Transferred

1. Except for those listed below, the probationary period for any employee who has been promoted, demoted, or transferred is three (3) months from the effective date of the action.
2. The probationary period for an employee who is promoted into a Deputy Sheriff I or Deputy Sheriff II position shall be one year from the effective date of action. An employee promoted to a Sergeant, Deputy Commander, or Commander's position, shall serve a (6) month probation.
3. A promoted employee dismissed during a probationary period may be reinstated to the original position if the position is vacant. A transferred employee dismissed during a probationary period may be reinstated to the original position if the position is vacant.
4. A written appraisal form is not required at the end of the probationary period but verification of the successful completion of probationary period shall be submitted to Human Resources on the prescribed form.

1.34 Transfer, Promotion or Demotion during Initial Probationary Period

- A. Probationary employees who are allowed to transfer, promote, or demote, shall begin a new probationary period beginning the date of change to the new position but shall retain the original date of hire as their anniversary date upon successful completion.
- B. Probationary employees who are allowed to change positions or classifications shall receive a salary equal to the minimum of the new classification.

1.35 Completion of Probationary Period

- A. Two to three weeks prior to the end of the probationary period, the employee's performance shall be evaluated. Based on the evaluation, the employee's immediate supervisor must determine if the employee's performance warrants successful completion of the probationary period. At this time, the immediate supervisor may recommend that the Department Director or Elected Official take one of three actions:
 1. Remove the employee from probation and confirm regular status;
 2. Extend the probationary period. See Section 1.33 (A) (1) and (2); or
 3. Terminate the employment status of the employee.
- B. Once the employee successfully completes the probationary period, the employee shall obtain regular status and the date of hire shall become the anniversary date.

(1.35 cont.)

- C. Upon completion of probation, the employee will be eligible to utilize annual leave which began accruing the date of employment.
- D. If the immediate supervisor fails to take any action, i.e. fails to extend the probationary period or fails to terminate an employee on or before the last day of the probationary period, the employee shall be granted regular status by Human Resources.

1.36 End of Probation Salary Increases

- A. Salary increases upon completion of new employee probations will be handled on a case by case basis and will be considered only if sufficient funds are available within the department's current budget.
- B. No end-of-probation salary increases for promoted employees will be granted since all salary adjustments will be made at the time of promotion.
- C. An employee transferring into any position assigned to the same range as his/her current position shall be paid the same salary received prior to the transfer.

NOTE: In all cases, the County Board of Supervisors will be the final authority regarding the amount of and eligibility for probationary period salary adjustments.

1.37 GRIEVANCE DURING PROBATION: Employees on probation are ineligible to file for grievance. (See 4.8 - Grievance Procedures)

1.4 PERFORMANCE EVALUATION

1.41 Policy:

The evaluation process shall be used as a means of providing performance feedback to all employees as well as to set standards for future performance. The performance evaluation may be considered in determining salary changes, transfers, or promotions and may also be considered in decisions related to lay-off and discharge.

1.42 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

1.43 Types of Evaluations:

- A. Regular Evaluation: At a minimum, each employee should be evaluated annually, although more frequent evaluations are encouraged.
- B. Special Evaluation: Special evaluations may be administered at any time to address performance issues occurring throughout the year in a non-disciplinary manner. Conducting a special evaluation does not pre-empt or limit in any way the ability of the County to take appropriate disciplinary action at any time for any given performance issue.
- C. End-of-Probation Evaluation: Evaluations should also be conducted prior to changing an employee from probationary to regular status.

1.44 Documentation Requirements:

The annual evaluation shall be documented on an evaluation form available from Human Resources.

Once the evaluation form has been completed, the evaluation shall be discussed in a private meeting between the employee and appropriate management personnel. The Elected Official or Department Director shall sign the evaluation. The employee should also sign to indicate that the process has been completed.

Completed performance evaluations shall be sent to the Human Resources Department to be filed in the employee's official personnel file.

1.5 EMPLOYMENT STATUS

1.51 Policy:

This section identifies employee categories and their eligibility for policy coverage, compensation and benefits.

- Classified/Unclassified
- Non-Covered/Exempt/Non-Exempt
- Other Job Categories

1.52 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

1.53 Classified/Unclassified:

- A. Classified employees are covered by the employment provisions of the County policies dealing with grievances and appeals of employment decisions.
- B. Unclassified employees are "at will" employees. Unclassified employees serve at the pleasure of the County Manager and/or Department Director/Elected Official and do not have appeal rights.
- C. Temporary employees are generally ineligible for benefits and are unclassified.

1.54 Non-Covered/Exempt/Non-Exempt:

This section is intended to comply with the Federal Fair Labor Standards Act (FLSA).

- A. Non-Covered: Elected Officials, their personal staff members, policy-making appointees, and legal advisors are non-covered under the FLSA. Volunteers, independent contractors and prisoners are also non-covered under the FLSA.
- B. Exempt: Exempt employees are exempt from the overtime provisions of the FLSA. Employees in these positions do not receive overtime or compensatory time. Employees are considered exempt on the basis of their job description and actual duties performed in accordance with guidelines set forth by the FLSA.
- C. Non-Exempt: Non-exempt employees are covered by the overtime and minimum wage provisions of the FLSA. Non-exempt employees become eligible for overtime compensation after working 40 hours in a workweek. Non-exempt employees are eligible for compensation at one and one-half their normal pay rate for time worked over 40 hours. Overtime policies are explained in the Compensation and Benefits Section at paragraph 2.2.

1.55 Types of Positions:

- A. Regular Full Time: Regular full-time employees are assigned to approved budgeted positions that are an ongoing part of the County's normal staffing plans. These positions have no specified ending date. These positions may be classified or unclassified as stated in Section 1.53
- B. Part Time: Part-time employees who are regularly scheduled for 20 hours or more per week are paid for holidays, are credited for sick and annual leave at a prorated amount and are eligible for health and retirement benefits. Part-time employees who work less than 20 hour per week are not eligible for benefits. Part-time positions may be classified or unclassified depending upon the appropriate criteria as stated in Section 1.53.
- C. Temporary: Temporary employees are in positions that have specified ending dates. These positions are approved to meet County needs in peak work periods, for special programs and to fill department vacancies during the recruiting process. Temporary employees are only paid for actual hours worked. They do not receive holiday pay or accrue leave. They are not eligible for health benefits but are covered by worker's compensation and will receive retirement credit if they work more than 90 days. These positions are unclassified as stated in Section 1.53.
- D. Grant-funded positions: Grant-funded positions may be regular or temporary and may be full-time or part-time. These status issues will be determined individually with each position, based on terms specified in the grant. Regular full-time and eligible part-time grant-funded positions will have all of the same benefits as regular positions funded by the County. If the grant funding is canceled for any reason, the position is automatically eliminated and the employee is laid off. The layoff is effective no later than the date the grant funds are exhausted. Grant-funded positions may be classified or unclassified depending upon the appropriate criteria as stated in Section 1.53.

1.6 LAYOFF, RECALL, RESIGNATION, AND RE-EMPLOYMENT

1.61 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

1.62 Lay-Off:

- A. An employee may be laid off due to a change in duties, re-organization, or shortage of work or funds. A layoff may occur when a position is eliminated or when the number of positions in any given classification has to be reduced. Typically, the lay-off is a result of a reduction in funding or reorganization.
- B. When a layoff affects only one department, only employees in that department will be considered for layoff. Employees in other departments will not be affected.

1.63 Recall:

- A. Employees recalled from a layoff within six months will be reinstated into County benefits programs with credit for prior service. They will not receive credit for the time they were out of work. These employees will:
 - 1. Accrue annual time at the same rate as they had at the time of layoff. The accrual will begin with the first payroll period.
 - 2. Have the sick leave balance reinstated, unless they were paid for the time.
 - 3. Be re-enrolled in the health plan with the normal waiting period. Any employee who is an active COBRA participant will be allowed to re-enroll in the health plan without a waiting period.
- B. Employees recalled, may or may not receive the same rate of pay as they had earned at the time of the layoff. The County reserves the right to respond to budgetary and staffing considerations at the time of the recall.

1.64 Resignation:

An employee wishing to leave County service shall file with the Department Director/Elected Official a letter stating the effective date of resignation. This letter should be filed as soon as possible, but no later than two weeks prior to leaving the County. Failure to give notice as required by this policy may be cause for denying future employment by the County.

1.65 Job Abandonment: (No call – no show)

In the event an employee is absent without approved leave for a period greater than two

(1.65 cont.)

working days, the County shall notify the employee of intent to dismiss due to job abandonment. The notification will be delivered in person or sent to the employee's last known address. If the employee has not returned to duty within 48 hours of notice, then this shall be cause for immediate discharge.

1.66 Re-employment:

- A. Employees who provide the appropriate notice and leave the County in good standing may be eligible for re-employment.
- B. Employees who were terminated may be considered for re-employment based on the conditions of termination.

1.67 Return of County Property

Elected Officials or Department Directors shall verify that terminating employees return all keys, credit cards, assigned equipment and other County property. Prior to the final payment to any terminating employee, the Department Director or Elected Official and the Finance Department shall ensure that all travel advances have been reconciled.

1.7 AMERICANS WITH DISABILITIES ACT (ADA)

1.71 Policy:

Navajo County provides equal opportunity to all individuals in programs, activities, employment benefits, participation, services and assistance. Navajo County will also provide reasonable accommodation in the essential functions of a given position for those qualified individuals with qualifying disabilities as identified by the ADA providing the accommodation does not place an undue burden upon the County.

1.72 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

1.73 Requests for Reasonable Accommodation:

Individuals with qualifying disabilities may request reasonable accommodation in the essential functions of their job. All requests for reasonable accommodation shall be made with Human Resources – Risk Management for consideration. It is the responsibility of the employee to notify Navajo County of the need for reasonable accommodation.

1.8 EMPLOYEE RECORDS

1.81 Policy:

The official personnel file for each employee shall be maintained by Human Resources. Departments may keep supplemental records but should limit the contents of these files to information relevant to the administrative operations of the department.

1.82 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

1.83 Disposition of Records:

- A. Employee records are closed to the public except for those records authorized for release in accordance with ARS 39-101. Generally, the following records may be released:
 - 1. full name of the employee
 - 2. dates of employment
 - 3. current and previous job titles
 - 4. current and previous salaries
 - 5. name of current supervisor
 - 6. any additional information authorized by the employee in writing.
- B. Official personnel records shall be maintained by Human Resources and are the property of Navajo County.
- C. Medical information shall always be treated as confidential and will be kept in a separate medical file.
- D. With the exception of Human Resources staff in the normal performance off their duties, all persons requesting access to an employee personnel file shall complete and sign a "Personnel File Access Request" form specifying the reason for the request, what information is requested, and documenting items copied.
- E. Department Directors and Elected Officials may view the personnel files on a need-to-know basis. They are expected to deal with the information in a confidential manner. Medical file information will be kept confidential and will be shared only with prior written authorization from the employee.
- F. An employee or the employee's designated representative who has written authorization (Information Release Form) may, with reasonable notice, review the personnel file at Human Resources and/or make copies of the contents of the employee's personnel or medical file in the presence of authorized staff.

(1.83 cont.)

- G. Notwithstanding the foregoing, employee records may be released as necessary for Navajo County to defend itself against claims made or litigation commenced by an employee, and any employee bringing such a claim waives his/her right to confidentiality to the extent necessary for the County to defend itself.

1.84 Applicant Records:

- A. Job applicant records shall be considered confidential. Applications, resumes, and related information submitted to the County by a job applicant are the property of the County. The County reserves the right to distribute this applicant information as it sees fit within the County. This information will not be available to the public, however, except for the names of the final candidates for positions of public interest.
- B. Notwithstanding the foregoing, applicant records may be released as necessary for Navajo County to defend itself against claims made or litigation commenced involving claims of discrimination in hiring.

1.85 Verification of Employment:

Only the employee's current classification, dates of employment and current rate of pay will be verified. Release of additional information must be authorized by the employee in writing. All requests for verification of employment are to be referred to Human Resources.

1.86 Reference Checks on Past Employees:

- A. Reference checks requested on former Navajo County employees shall be provided by Elected Officials and Department Directors. County employees receiving reference calls from prospective employers shall direct the inquiry to the Human Resources Department. Navajo County will provide any prospective employer the information identified in Section 1.83 (A) of this policy. Navajo County may provide information concerning a former employee's education, training, experience, qualifications and job performance pursuant to A.R.S. § 23-1361 (B). If the County is willing to provide that supplemental information, however, it reserves the right to require former employees to sign a written authorization prior to a release of the additional information.
- B. Any Elected Official, Department Director or Human Resources, if providing a written reference for a past employee, shall send a copy of the written reference to the former employee at his/her last known address as required by A.R.S. § 23-1361 (B).

1.9 EMPLOYEE PROPERTY, WORKPLACE PRIVACY LIMITATIONS & DRESS CODES

1.91 Policy:

County employees are allowed to bring their personal property into the workplace with the approval of the Elected Official or Department Director.

1.92 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

1.93 Liability for Employee Property:

Unless an employee is required by his/her position to utilize personal property to perform his/her job, employees who choose to bring their own personal property into the workplace do so at their own risk. Navajo County shall not be liable for any damage that might result thereto from theft, fire, or any other type of loss.

1.94 Workplace Privacy Limitations:

Any County-provided property is subject to entry, search and inspection (to include computers, computer files, lockers, file cabinets, desks, etc.) by authorized personnel without prior notice. Any privately owned property contained in such equipment (including the contents of sealed items/containers) may also be opened and examined without prior notice and without permission in order to investigate work-related misconduct. This includes any County-provided equipment that is protected by a personally owned lock that an employee may place on that equipment. Therefore, employees have no expectation of privacy when using County-provided resources and/or equipment. Workplace searches must be authorized by the County Manager, Human Resources Director, or designee of same.

1.95 Dress Codes:

Navajo County employs individuals in a wide range of positions that may require varying dress codes. The Elected Official or Department Director has the responsibility of establishing an appropriate dress code and County employees are expected to follow the policies established by their own departments.

1.96 Breaks:

Breaks may be granted at the Department Head/Elected Official's discretion. Regular employees **may be** allowed a midmorning and a mid-afternoon break, each break not to exceed 15 minutes. Employees cannot in any way accrue or bank break time for later use.

1.10 CONSTRUCTIVE DISCHARGE

1.101 Policy:

An employee is encouraged to communicate to the employer whenever the employee believes working conditions may become intolerable to the employee and may cause the employee to resign. Under A.R.S. § 23-1502, an employee may be required to notify an appropriate representative of the employer in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that constitutes a constructive discharge, if the employee wants to preserve the right to bring a claim against the employer alleging that the working condition forced the employee to resign.

1.102 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

1.103 Notice:

Under the law, an employee may be required to wait, for fifteen calendar days after providing written notice before the employee may resign if the employee desires to preserve the right to bring a constructive discharge claim against the employer. An employee may be entitled to paid or unpaid leave of absence of up to fifteen calendar days while waiting for the employer to respond to the employee's written communication about the employee's working condition.

SECTION 2: COMPENSATION AND BENEFITS

- 2.1 Compensation Program
- 2.2 Overtime
- 2.3 Holidays
- 2.4 Health Insurance and Benefits
- 2.5 Retirement Plans
- 2.6 Workers' Compensation
- 2.7 Payment upon Termination of Employment

2.1 COMPENSATION PROGRAM

2.11 Policy:

It is the policy of Navajo County to provide compensation commensurate with the type of work and the degree of responsibility required for each job and which is comparable or approximately comparable, as governed by budgetary constraints, to rates being paid for similar work within and without the organization.

2.12 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee

2.13 Compensation:

Every County employee shall be paid within the salary range assigned to the position for which he/she was hired.

A. Hire Rate:

Entry Level Rate: Generally, initial appointments shall be at the "minimum" of the assigned salary range for the position.

Above Entry Level Rate: In instances where there is justification in the opinion of the Department Director or Elected Official, to hire at a rate above the minimum, a request and justification for appointment above the minimum may be submitted to Human Resources. A hire rate up to 90% of the range can be initiated upon prior approval of the Human Resources Director. Approval is contingent upon availability of funds. Requests for a hire rate above 90% of the range require approval of the County Manager and the Board of Supervisors.

Below Entry Level Rate: Applicants whose qualifications are less than those required for the position may under-fill a position commensurate with the individual's qualifications. The Elected Official or Department Director may make a request for appointment below the minimum. The position may be under-filled upon prior approval of the Human Resources Director.

B. Reappointment:

Appointment of former County employees eligible for rehire shall be the same as for a new hire.

C. Promotions:

An employee who is promoted to a position in a higher salary range will generally receive a salary increase equal to the minimum of the new salary range.

(2.13 cont.)

D. Lateral Transfers:

An employee transferred to a position in the same range or to any other classification in the same range, shall be paid the same salary (same percent in range currently held) that was received prior to the transfer.

E. Demotions – Voluntary/Involuntary: (Shall include reclassifications, departmental reorganizations or imminent lay off.)

1. An employee who is demoted, voluntarily or involuntarily, shall receive a reduction in salary but no less than the minimum of the new salary range (grade).
2. If a promotion is followed by a demotion, the employee's salary shall not exceed the amount that would be due if no promotion had occurred.

F. Declared Emergencies During Holidays

1. If a declared emergency or other exceptional circumstances fall on a holiday or observed holiday, an employee required to work shall be eligible for pay in accordance with 2.31 (G).
2. Holidays and observed holidays are listed at Section 2.31 (A).

G. Special Duty

1. An employee who is assigned to special duty on a temporary basis, in a higher salary range, will generally receive an increase equal to the minimum of the new salary range.
2. Prior approval must be obtained from the County Manager for salary increases above (G) (1).
3. If an employee on special duty has a change in status (promotion, transfer, etc.) the employee shall be restored to his/her original position and salary before application of necessary adjustment.

H. Return to Regular Duties

An employee returning from special duty shall return to his/her regular salary (range and percent) prior to the assignment. If any salary increases were received (i.e. COLAs) by the employee while serving on assignment, such salary increases will be included upon return to regular duty.

- I. An employee returning from special duty of six months or longer shall retain a 2.5% increase in his/her regular salary prior to the assignment.

2.14 Personnel Action Form:

Any action resulting from this Section shall be supported by a completed "Personnel Action Form." The Personnel Action Form, where possible, shall have an effective date corresponding with the next payroll cycle ending or beginning date. All Personnel Action Forms must be submitted to Human Resources for approval and processing.

2.15 Total Remuneration:

The salary rate established for a position shall represent the total remuneration for employees, not including reimbursement for qualified expenses. Except as otherwise provided in these rules, no employee shall receive pay from the County in addition to the salary authorized under these schedules provided in the compensation plan for services rendered by the employee, either in the discharge of their ordinary duties, or any additional duties which may be imposed upon them, or which they may undertake or volunteer to perform. No reward, gift or other form of remuneration, in addition to regular compensation shall be received from any source by any employee for performance of their duties or in violation of the Code of Ethics. If a reward, gift, or other form of remuneration is made available to any employee, it shall be turned in to the County Manager for disposition.

2.2 OVERTIME

2.21 Policy:

This policy is designed to be consistent with the Fair Labor Standards Act (FLSA). All FLSA non-exempt employees, as defined in section 1.54 (C), are eligible for overtime compensation. Exempt and non-covered employees, as defined in Sections 1.54 (A) and (B), are not eligible for overtime compensation under the FLSA or this policy. Overtime work is time actually worked beyond 40 hours in any single workweek. Holiday, annual leave or other leave hours in any workweek do not count toward the 40 hours worked.

2.22 Prior Authorization:

Employees are required to get prior authorization from their Department Director or Elected Official before working beyond the scheduled workday/workweek. Under special circumstances, the County Manager may authorize overtime pay.

Employees who work overtime without prior authorization will be compensated for the time worked; however, they may be disciplined for failing to obtain prior authorization.

2.23 Official Records:

The Navajo County Payroll records shall be the official recognized records of time and overtime worked.

2.24 Distribution of Overtime:

- A.** Overtime work shall be allocated as evenly as possible among all qualified employees. While preference may be given to those employees volunteering to work overtime, all employees are required to work overtime when requested to do so.
- B.** Departments utilizing overtime on a regular basis shall establish procedures for offering overtime on a rotating basis to all employees qualified and able to perform the required work. Such procedures shall provide for documentation of offers and rejections of overtime.

2.25 Straight Time Off During Same Workweek

- A.** Whenever possible, a non-exempt employee who works more hours in a day than his or her scheduled workday shall receive time off during the same 40-hour workweek in order to avoid the payment of overtime.
- B.** Time off during the same workweek shall be granted on a straight hour-for-hour basis. For example, an employee who works 10 hours on Monday might work

(2.25 Cont.)

only 6 hours on Tuesday (or only 7 hours on Wednesday and Thursday) to offset the two extra hours worked on Monday.

- C.** The time off must be taken during the same 40-hour workweek. If the employee does not take the time off and works more than 40 hours, the overtime provisions of Section 2.26 will apply.

2.26 Compensation for Overtime:

Non-exempt employees who work overtime shall be compensated by one of the following methods. Compensatory time as described in Section 2.26(B) is the preferred method of overtime compensation.

A. Direct Payment

1. Overtime is paid at the rate of 1.5 times the employee's regular hourly rate for each hour worked over 40 hours within the scheduled workweek. If an employee has less than 40 hours of actual work in the workweek, the employee is not eligible for overtime and all hours worked will be paid at the regular hourly rate.
2. Payment for time worked on a holiday during a federal, state or locally declared emergency shall be in accordance with Section 2.31(G).

B. Compensatory ("Comp") Time:

1. Comp time is paid time off granted at the rate of 1.5 hours of comp time for each hour worked over 40 hours within the scheduled workweek. If an employee has less than 40 hours of actual work in the workweek, the employee is not eligible for comp time.
2. A maximum of 80 hours of comp time may be accrued ("banked"). After an employee has accrued 80 hours of comp time, all subsequent overtime hours worked shall be paid pursuant to Section 2.26(A). Because comp time is a fiscal liability, Department Directors and Elected Officials may establish reasonable policies further limiting the accrual of comp time within their Departments. Accurate record-keeping of overtime hours worked and comp time credited on the employee's time sheets is mandatory. Each Department is responsible for ensuring that comp time balances do not become excessive.
3. Accrued comp time should be used within a reasonable time frame. Employees who have requested the use of comp time will be permitted to use the time within a reasonable period after making the request if the use of the time does not unduly disrupt the operations of the Department. Mere inconvenience to a Department is insufficient reason to deny a

(2.26 Cont.)

employee's request to use comp time

- a. Accrued comp time must be exhausted before accrued personal leave or annual leave may be used.
 - b. If an employee is eligible for leave under the Family Medical Leave Act (FMLA) as described in Section 3.3 and chooses to use comp time as described in Section 3.36.B, the time off on comp time will be charged against the employee's FMLA eligibility.
4. With the approval of the County Manager, employees may be required to use some or all of their accrued comp time within a reasonable period after receiving notice to do so. The notice will include the length of time in which a specified number of hours of comp time must be used. Such a notice may be limited to specific Divisions or Departments, or may be issued on a County-wide basis.
5. With the approval of the Board of Supervisors, the County may cash out some or all of employees' accrued comp time at any time. Payment shall be at each employee's rate of pay when the comp time is cashed out. Cashing out may be limited to specific Divisions or Departments, or may occur on a County-wide basis.
6. Upon termination of employment, retirement, or change of status from non-exempt to exempt, an employee's accrued comp time will be cashed out at the employee's rate of pay at the time of payment.

2.27 – deleted

2.28 Hours of Work:

The normal workweek for full-time employees is forty (40) hours. The normal workweek begins on Sunday morning at 12:01 a.m. and ends at 12:00 midnight the following Saturday. The Department Director/Elected Official may change the standard workweek for his/her operation with the concurrence of the County Manager. A Personnel Action form documenting the adjusted workweek for record keeping purposes must be submitted to Human Resources and Payroll.

Other schedules include a 9/80, a 4/10, and shift schedules.

- A. **9/80 Schedule:** The 9/80 schedule allows an employee to work forty hours per week (seven day work period) and to have every other Friday Off. The seven day work period begins on Friday at 12:01 pm and ends the following Friday at 12:00 noon.

1. A typical two week work schedule would be:
 - a. 7:30 am to 5:00 pm on the nine work days with a half hour unpaid lunch period.
 - b. 8:00 am to 5:00 on the eight hour work day with a one hour lunch period.
 - c. Every other Friday off.

MON	TUES	WED	THURS	FRI	SAT	SUN
9 HRS	9 HRS	9 HRS	9 HRS	4HRS 4 HRS		
9 HRS	9 HRS	9HRS	9 HRS	OFF		

2. Each employee will receive a maximum of eight hours pay for scheduled holidays. If a holiday falls on an employee's nine hour workday they must make up the one hour difference by using one hour of annual or personal leave time.
3. When an employee on this schedule is on authorized absence from work on a scheduled nine hour workday, the employee will be charged for nine hours of annual, sick or personal leave.

- B. **4/10 Schedule:** This schedule allows an employee to work forty hours per week (seven day work period) and to have every Friday off.

MON	TUES	WED	THURS	FRI	SAT	SUN
10 HRS	10 HRS	10 HRS	10 HRS	OFF		

1. One example of a work week schedule would be 6:00 am to 4:30 pm with a half hour unpaid lunch period.

(2.28 cont.)

2. Each employee will receive a minimum of eight hours of pay for scheduled holidays. If a holiday falls on an employee's ten hour workday they must make up the two hour difference by using two hours of annual or personal leave time.
 3. When an employee on this schedule is on authorized absence from work on a scheduled ten hour workday, the employee will be charged for ten hours of annual, sick or personal leave.
- C. The schedules described above, are examples only and may be modified as a department feels is necessary as long as the provisions of this policy are followed.
- D. Employees on 9/80 and 4/10 schedules should schedule doctor appointments other personal business for scheduled days off.
- E. At the discretion of the Department Director or Elected Official, work schedules may be changed at any time with little or no notice.

2.3 HOLIDAYS

2.31 Policy:

- A. Unless otherwise necessary, County offices shall be closed on each of the ten holidays listed below:

HOLIDAY	DATE
New Year's Day	January 01
Martin Luther King, Jr./Civil Rights Day	3 rd Monday in January
Lincoln/Washington Presidents' Day	3 rd Monday in February
Memorial Day	4 th /Last Monday in May
Independence Day	July 04
Labor Day	1 st Monday in September
Veterans Day	November 11
Thanksgiving Day	4 th Thursday in November
Day after Thanksgiving Day	Day after Thanksgiving Day
Christmas Day	December 25

- B. When a holiday falls on Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed (ARS 1-301). It should be noted that public safety and other essential service employees may be required to be on duty during holidays.
- C. All eligible employees shall, if possible be given time off with pay for each recognized holiday.
- D. Employees on a 9/80 flex time schedule must submit a leave request for 1 hour of annual or personal leave for each holiday that falls on their regular 9-hour workday. Employees on a 4/10 schedule must submit a leave request for 2 hours of annual or personal leave for each holiday that falls on their regular 10-hour workday. Exception: An employee may work the 1 hour or 2 hours he/she would have taken leave if he/she has received prior approval from the Department Director or Elected Official and such time is worked within the same work week.
- E. Temporary, emergency and/or volunteer workers are not eligible for paid holidays.
- F. Non-exempt employees required to work on a holiday shall be granted compensatory leave at a rate of one hour off for one hour worked up to a

(2.31 cont.)

maximum of 8 hours, to be used within the same work period as the scheduled holiday.

- G. In a declared emergency during a recognized holiday, a non-exempt employee called in to perform work shall receive his/her regular rate of pay plus time and a half for all hours worked on that holiday regardless of the total hours worked in that workweek.
- H. In order to receive pay for an observed holiday, an employee must not have been on unauthorized absence the workday before or after the holiday.
- I. Employees shall not be paid for holidays occurring while they are on unpaid, but approved, leave.

2.4 HEALTH INSURANCE AND BENEFITS

2.41 Policy:

Medical, Dental, Vision, Life Insurance and other benefits as approved by the Board of Supervisors are provided to all eligible employees through the County's participation in the Arizona Public Employers Health Pool with dependent coverage being an option. Coverage requires contribution through payroll deductions. Information will be provided to new employees during orientation and on an as needed basis throughout the year.

2.42 Effective Date

Except as provided in Section 2.44 below, new employees will be covered on the first day of the month coinciding with, or immediately following the completion of thirty (30) consecutive days of full-time employment, provided proper enrollment has been made and any required contributions have been authorized.

2.43 Retiree Coverage

The retiree must have accrued no less than five years of service with Navajo County under a public sector retirement system. Service purchase, if available, shall not be used to meet these minimum requirements.

2.44 Transferring Employees

If an employee was covered by the Arizona Public Employers Health Pool medical plan through another participating employer immediately before joining Navajo County in a benefits-eligible position, the benefits start date will be the first of the month following the date of hire (unless the date of hire is the first of a month, in which case coverage will commence immediately).

2.5 RETIREMENT PLANS

2.51 Policy:

Navajo County participates in various retirement programs and shall abide by policies they establish.

2.52 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

2.53 Plan Participation:

The County participates in separate retirement programs sponsored and administered by the State of Arizona. Coverage requires contributions through payroll deductions. These programs are:

- A. Arizona State Retirement System
- B. Public Safety Personnel Retirement System
- C. Corrections Officers Retirement Plan
- D. Elected Officials Retirement Plan

Information regarding these programs is available from the Benefits Office and from the various plan administrators.

2.6 WORKER'S COMPENSATION

2.61 Policy:

The County is committed to providing appropriate worker's compensation benefits as required by state law. Worker's compensation benefits covering accidental injury, disability, disease or death occurring in the course and scope of employment are provided to County employees, including individuals in temporary, emergency, intermittent and volunteer status at no cost to employees.

2.62 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

2.63 Worker's Compensation Benefits

Worker's compensation benefits (medical) in the amounts provided by Arizona Revised Statute (ARS) will commence on the first day of disability. If the employee is not working (lost time) due to an injury or illness, payment of compensation (lost earnings) will commence on the eighth full calendar day of disability in maximum amounts as provided by current Rules and Regulations of the Industrial Commission of Arizona. If the employee is not working (lost time) after the 14th full calendar day of disability, payments will also be made for the first seven calendar days of disability. The disability or illness can only be recognized when confirmed in writing by a certified physician. The amount compensated will be 66 & 2/3% of the current statutory monetary limitation (\$2400/mo as of 8/3/99) or 66 & 2/3% of the employee's gross monthly salary or wages at the time of injury or illness, whichever is less. These benefits are determined by state law. If the description of this subsection conflicts with state law, then state law prevails.

2.64 Injury Reporting Requirements:

Every injury or illness sustained on-the-job, no matter how trivial, must be reported immediately to the employee's supervisor. In this way, prompt first aid treatment can be given or immediate medical attention secured if necessary. Reporting the time of injury and names of witnesses is important when establishing a worker's compensation claim. Once an employee has reported an on-the-job injury or illness to his/her supervisor, the supervisor shall:

- A. If the injury requires medical attention, at the option of the County, the employee may be required to report to a County-specified physician at the County's expense. However, the County may elect to allow the employee to seek treatment from his/her own healthcare provider for this initial visit. Should an employee be directed to a County physician for the first visit, the employee may elect to continue treatment with the healthcare provider of his/her choice on subsequent visits. Once an employee sees any healthcare provider for two or

(2.64 cont.)

more visits, the employee will be required to continue all treatments with that provider for the duration of the claim unless the employee requests a change of provider through the Industrial Commission and the Arizona Counties Insurance Pool.

- B. If the injury is severe or one that requires immediate aid, arrange for treatment at the nearest emergency treatment center.
- C. Complete a "Supervisor's Report of Injury" and immediately forward to Risk Management.
 - 1. Send White copy of report to Risk Management.
 - 2. Give Blue copy to employee for Health Care Provider
 - 3. Leave Yellow copy in the "Supervisor's Report of Injury" book.

2.65 Use of Annual and Sick Leave:

- A. An eligible employee may elect to use accrued sick leave to supplement Worker's Compensation benefits to approximate the employee's normal take-home pay.
 - 1. Sick leave shall be charged one day for each day of work missed. If work missed is less than one day, sick leave shall be charged on an hour for hour basis.
 - 2. Annual leave may be used after all accumulated sick leave has been used.
 - 3. The employee will receive both the Worker's Compensation benefit check and the reduced County paycheck, which together will approximate the normal salary.
 - 4. After all leave is used, an employee will receive only Workers' Compensation benefits.
- B. Under no circumstances will an employee be allowed to receive any combination of worker's compensation and sick/annual leave in an amount that is greater than his/her regular pay.

2.66 Return to Duty:

Employees returning to work from worker's compensation leave must provide medical certification of their ability to return to their normal duties.

2.67 Opting out of Worker's Compensation Plan:

Pursuant to A.R.S. § 23-906:

"All employees are hereby notified that in the event they do not specifically reject the provisions of the compulsory compensation law they are deemed by the laws of Arizona to have accepted the provisions of such law, and to have elected to accept compensation under the terms of such law, and that under the terms thereof employees have the right to reject the same by written notice thereof prior to any injury sustained, and that blanks and forms for such notice are available to all employees at the office for this company."

2.68 Reasonable Accommodation for Injured Employees:

Any employee who sustains an on-the-job injury which is permanent in nature and who refuses a light duty position for which he/she is qualified and can perform with or without a reasonable accommodation may face the elimination of his/her worker's compensation benefits. Navajo County reserves the right to make inquiries into the ability of an employee to perform job-related functions pursuant to 42 U.S.C. § 12112.

2.7 PAYMENT UPON TERMINATION OF EMPLOYMENT

2.71 Policy:

It is the intent of Navajo County to comply with the provisions of A.R.S. § 23-350 *et seq.* regarding the payment of terminated employees.

2.72 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

2.73 Payment of Wages to Terminated Employee:

- A. When an employee is discharged from the service of Navajo County, he shall be paid wages due to him within three working days or at the end of the next regular pay period, whichever is sooner.
- B. When an employee quits the service of Navajo County, he shall be paid in the usual manner all wages due to him no later than the regular payday for the pay period during which the termination occurred. If requested by the employee, such wages shall be paid by mail.

2.74 Withholding of Wages:

Navajo County will not withhold or divert any portion of an employee's wages unless: (a) required or empowered to do so by state or federal law; (b) the employee has provided written authorization; or (c) there is a reasonable good faith dispute as to the amount of wages due.

SECTION 3: ATTENDANCE AND LEAVES OF ABSENCE

- 3.1 Annual Leave
- 3.2 Sick Leave
- 3.3 Family and Medical Leave
- 3.4 Military Leave
- 3.5 Leave of Absence Without Pay
- 3.6 Administrative Leave
- 3.7 Civil Leave
- 3.8 Personal Leave
- 3.9 Victim's Leave

3.1 ANNUAL LEAVE

3.11 Policy:

- A. Annual leave is authorized absence with pay for rest, recreation, or other purposes when approved in advance by the supervisor. All County employees shall be eligible for annual leave with pay except the following:
1. regular full-time and part-time employees who are still serving their initial probationary period or on leave without pay status;
 2. part-time employees who are normally scheduled to work less than 1040 hours per year;
 3. temporary and emergency employees and volunteer and seasonal workers.

3.12 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

3.13 Annual Leave Requests

An employee must submit a Leave Request form to the Department Director or Elected Official for approval in advance of the intended absence and indicate the dates and duration of the annual leave. With the exception of those employees identified in Section 4.11 (C), if a Department Director or Elected Official requires an employee to postpone or change requested or scheduled annual leave, the employee is to receive as much advance notice as possible.

3.14 Annual Leave Accrual and Usage:

- A. Accrual: Earned Annual leave hours are credited to an employee's account two pay periods each month in accordance with the annual schedule distributed by Payroll.

FULL TIME EMPLOYEES WITH	HRS/MONTH	HRS/PAY PERIOD	DAYS/YEAR
LESS THAN 3 YEARS	8	4	12
3 – 6 YEARS	10	5	15
7 – 14 YEARS	12	6	18
15 YEARS AND OVER	14	7	21

REGULAR PART TIME EMPLOYEES:								
HOURS WORKED/WEEK	LESS THAN 3 YEARS	Hrs/ Pay Period	3-6 YEARS	Hrs/ Pay Period	7 – 14 YEARS	Hrs/ Pay Period	15 YEARS & OVER	Hrs/ Pay Period
20 –23	4	2	5	2.5	6	3	7	3.5
24 –31	5	2.5	6	3	7	3.5	8	4
32 – 39	6.5	3.25	8	4	9.5	4.75	11	5.5

(3.14 cont.)

- B. Annual leave shall not accrue in excess of 320 hours as of December 31 in any calendar year. Leave earned in excess of 320 hours during a calendar year must be used or will be forfeited except as provided for below.
- C. Employees who have accrued an excess of 320 hours annual leave and are in jeopardy of losing those excess hours may make application to Human Resources for an extension of time up to 90 days in which to use up to 50% of the excess hours for annual leave. An employee may also request to transfer 50% to sick leave hours.
 - 1. A request using the prescribed form must be submitted by the employee no later than the 3rd week of December of the calendar year in which the excess hours are earned.
 - 2. A plan for use of excess hours specifying dates and approved by the applicant's Department Director/Elected Official must accompany the request.
 - 3. The extension of time shall not exceed 90 days nor will an additional extension be granted.
 - 4. Hours not used at the end of the 90-day extension will be forfeited.
- D. DELETED
- E. For the purpose of annual leave, employees that resign from the County and are later re-employed are considered new employees.
- F. Use of Annual Leave
 - 1. Annual leave shall not be advanced to an employee. An employee may only request those annual leave hours accrued and posted on the official Payroll leave record maintained by Finance.
 - 2. If a holiday falls within a period of annual leave taken by an employee, the holiday or holidays shall not be charged as annual leave.
 - 3. Leave required for funerals and hospital visits to persons other than those family members described in Section 3.28 shall be charged to the employee's annual or personal leave.
 - 4. Employees serving a new employee probationary period shall not use annual leave during the probationary period.

3.15 Annual Leave Payment

- A. Unused annual leave up to a maximum of 320 hours will be paid to employees who voluntarily or involuntarily terminate employment, provided that the employee has successfully completed his/her initial probationary period.
- B. An employee eligible for retirement may be paid for unused annual leave up to a maximum of 488 hours.

(3.15 cont.)

- C. If employment is terminated prior to completion of the initial probationary period, there will be no payment for annual leave.

3.16 Voluntary Transfer of Annual Leave Hours to another County Employee as Sick Leave Credit

Under the following conditions, a County employee may request that a portion of his/her accrued annual leave hours be transferred to another County employee as sick leave credit:

1. The employee receiving the leave has exhausted all paid sick, personal and annual leave and compensatory time from his/her account, and is currently on approved leave without pay or workers' compensation leave.
2. Annual leave hours donated to another employee shall be paid at the current rate of pay for the recipient. All of the recipient's deductions currently in effect shall apply. Recipients shall not accrue annual and sick leave while using donated leave time.
3. A minimum of 8 hours may be donated at any one time. The donor must maintain a minimum annual leave balance of 40 hours after donation.
4. There is no limit to the number of individuals that may donate leave to one employee.
5. Where there are multiple donors, the donated leave will be applied in the order received. Donated time that is not used will be returned to the donor.
6. The recipient is not obligated to repay the donated hours.

3.17 Voluntary Transfer of Annual Leave Hours to the Beneficiary of a Deceased Employee's Estate

Under the following conditions, a County employee (donor) may request that a portion of his/her accrued annual leave hours (maximum of 40 hours) be paid to the beneficiary (recipient) of a deceased employee's estate:

1. The donor must maintain an accrued annual leave balance of 80 hours after the leave donation is made.
2. A written request to donate annual leave hours must be submitted to Payroll for processing within seven calendar days of the employee's death.
3. The leave hours will be paid at the rate of the deceased employee's final rate of pay.
4. The recipient must be the legal beneficiary of the deceased employee.
5. The recipient is under no obligation to repay the donated hours.

3.2 SICK LEAVE

3.21 Policy:

Sick leave is authorized time off from work by an eligible employee for illness, injury, or for doctor, dental and health care provider appointments and other medical purposes relating to the employee or his/her immediate family member (see Section 3.33 C). Sick leave is not to be considered a substitute for annual leave and is not an entitlement.

3.22 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

3.23 Eligibility:

- A. All County employees are eligible for sick leave with pay except the following:
 - 1. regular full-time and part-time employees who have been employed fewer than 30 days;
 - 2. regular part-time employees who work fewer than 1,040 hours per year;
 - 3. temporary, emergency, volunteer and seasonal workers;

3.24 Sick Leave Requests:

- A. In order to receive compensation while absent due to sudden illness or injury, an employee shall contact and request for sick leave from his/her Department Director, Elected Official or immediate supervisor prior to, or within one hour of the beginning of his/her regular work day or shift. The employee must follow-up by submitting a Leave Request form to the Department Director, Elected Official or immediate supervisor upon return to work.
- B. The employee shall submit a Leave Request form to the supervisor well in advance of any scheduled treatment or doctor's appointment.
- C. Failure to notify the responsible supervisor may result in denial of sick leave, and/or disciplinary action up to and including discharge.
- D. An employee may request to use accrued annual leave after sick leave is exhausted.

3.25 Sick Leave Accrual:

- A. All eligible, full-time employees will earn 12 days annually or 8 hours of sick leave per month. Earned sick leave hours are credited to an employee two pay periods each month in accordance with the annual schedule distributed by Payroll.

(3.25 cont.)

B. Regular part-time employees will earn sick leave at the following rates:

HOURS WORKED PER WEEK	SICK LEAVE ACCRUAL PER MONTH	SICK LEAVE ACCRUAL PER PAY PERIOD
20 – 23	4	2
24 – 31	5	2.5
32 – 39	6.5	3.25

- C. Unused sick leave will be carried forward each calendar year.
- D. Sick leave shall not be advanced to an employee. An employee may only request those sick leave hours accrued and posted on the official Payroll leave record maintained by Finance.
- E. Employees will not accrue sick leave for the time they are on leave without pay status. .
- F. Employees returning to work after a period of leave without pay will have sick leave accrual restored
- G. For the purpose of sick leave, employees that resign from the County and are later re-employed are considered new employees.
- H. If sufficient reason exists to suspect an employee's inappropriate use of sick leave, a Department Director or Elected Official may require a physician's statement for each single absence. Excessive use of sick leave may be grounds for negative performance evaluations and/or disciplinary action up to and including termination.

3.26 Return to Work from Sick Leave:

- A. The Department Director or Elected Official may require a written statement from a licensed physician certifying that the employee's absence from work in excess of three (3) consecutive working days was due to illness, physical incapacity or for other related reasons.
- B. If an employee obtains a doctor's release to return to work on limited status (light duty), the Department Director or Elected Official shall make an evaluation of the ability to effectively utilize the employee on such limited duty and may deny a return to work until full duty status is regained.
- C. If an employee is allowed to return to work on limited status, the Department Director or Elected Official may request reevaluation of the employee's duties and appropriate changes in classification and pay.

3.27 Sick Leave Payment:

Employees who terminate with the County due to retirement or death, that have a minimum balance of three hundred and one (301) sick leave hours and five years of continuous service will received partial payment of the accrued sick leave not to exceed \$5,000. Pursuant to A.R.S. § 38-615, upon authorization by the Board of Supervisors, payment will be made in accordance with the following schedule:

Continuous Service	Years of	Minimum Sick Leave Balance	Rate of Reimbursement
5 – 10 years		301 hours	25% of accrued leave hours
10.1 – 15 years		301 hours	35% of accrued leave hours
15.1 – 20 years		301 hours	45% of accrued leave hours
20 .1 years and over		301 hours	55% of accrued leave hours

- A. For purposes of this section, the value of sick leave credit shall not be used to compute the average salary. Further, payments authorized by this section for accumulated sick leave are not salary or compensation for the purposes of making retirement contributions or computing any pension benefit.
- B. The provisions of this section apply only to an officer or employee of the County who is eligible to participate in the Arizona State Retirement System, the Public Safety Personnel Retirement System, the Corrections Officer Retirement Plan, or in an optional retirement program established by the Arizona Board of Regents pursuant to A.R.S. § 15-1628.

3.28 Bereavement:

Sick leave for up to five working days may be granted in the event of the death of a member of the employee's immediate family. For purposes of this policy, immediate family is defined as: Spouse, mother, father, child, stepchild, foster child, grandchild, grandparent, brother, sister, in-laws, and step-parent of the employee.

3.29 Coordination of Sick Leave and Workers' Compensation:

An employee eligible to receive payments under Workers' Compensation may choose to use accrued sick leave in accordance with Section 2.65.

3.3 FAMILY AND MEDICAL LEAVE

3.31 STATEMENT OF POLICY

It is the policy of Navajo County to fully comply with the provisions of the federal Family and Medical Leave Act of 1993, as amended (FMLA), as well as the United States Department of Labor (DOL) regulations implementing the FMLA. The FMLA, the DOL regulations and any Arizona Revised Statutes dealing with the same subject matter will always take precedence over any inconsistent statement in this policy. Employees are referred to the WH Publication 1420, "Employee Rights and Responsibilities Under the Family and Medical Leave Act," which is reproduced at the end of this policy, and to the DOL's FMLA website, <http://www.dol.gov/esa/whd/fmla/>.

The FMLA is extremely complicated, and interpreting and applying it to an employee's particular situation can be difficult. The employee's cooperation is essential, and a failure or refusal to cooperate may result in a denial of FMLA leave or even subject the employee to discipline.

3.32 PURPOSE

To inform eligible employees of their basic rights and obligations under the FMLA and the procedures by which they may request and receive job-protected, unpaid leaves of absence under the FMLA.

3.33 COVERAGE AND ELIGIBILITY

- A.** An eligible employee for the purposes of this policy is an employee who, as of the date the FMLA leave will begin, satisfies the following three criteria:
- 1.** Is an employee of Navajo County, other than an Elected Official.
 - 2.** Has been employed by Navajo County for at least 12 months, which need not be consecutive (but prior employment will not be included if there was a break in service of 7 years or more).
 - 3.** Worked at least 1,250 hours during the 12 months immediately preceding the commencement of the leave. For purposes of calculating the 1,250 hour requirement, the number of hours worked does not include annual, personal or sick leave, holidays, compensatory time off, any unpaid leave hours or periods of layoff. Overtime hours, however, are included. The determining factor is whether the time is considered "hours of work" under the federal Fair Labor Standards Act (FLSA). In addition, an employee returning from fulfilling a National Guard or Reserve military obligation shall be credited with the hours of service that would have been performed except for the military service.
- B.** If at any time an employee on FMLA leave notifies Navajo County that the employee will not be returning to work, the FMLA leave entitlement shall cease

(3.3 Cont.)

and the employee shall be deemed to have resigned.

- C. FMLA leave does not insulate an employee against bona fide employment actions, such as a reduction in force or discipline, for reasons unrelated to the FMLA leave.

3.34 QUALIFYING REASONS FOR FMLA LEAVE

- A. Subject to the definitions, conditions and limitations set forth in the FMLA regulations, eligible employees may use FMLA leave for any of the following reasons:
 - 1. **“FAMILY LEAVE.”** For birth of a son or daughter, and to care for the newborn child; or for placement with the employee of a son or daughter for adoption or foster care. Both the mother and father are eligible. Leave for this reason must be taken in the 12-month period following the son’s or daughter’s birth or placement with employee.
 - 2. **“MEDICAL LEAVE.”** To care for the employee’s spouse, son, daughter, or parent with a serious health condition. Parents-in-law are not included.
 - 3. **“EMPLOYEE’S SERIOUS HEALTH CONDITION.”** Because of a serious health condition that makes the employee unable to perform the functions of the employee’s job.
 - 4. **“QUALIFYING MILITARY EXIGENCY LEAVE.”** Because of any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent (but not parent-in-law) is a covered military servicemember on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.
 - 5. **“MILITARY CAREGIVER LEAVE.”** To care for a covered military servicemember with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the servicemember.
- B. For the reasons described in paragraphs A.1 through A.4 above, an employee is entitled to up to 12 weeks of FMLA leave in a 12-month period. For purposes of paragraphs A.1 through A.4, the 12-month period is a “rolling” period measured backward from the date FMLA leave is taken and continuous with each additional leave day taken.
- C. For the reason described in paragraph A.5 above, an employee is entitled to a total of 26 weeks of leave during a 12-month period. For purposes of paragraph A.5, the 12-month period begins on the first day the employee uses leave for this reason.

(3.34 Cont.)

- D.** For part-time employees and those who work variable hours, the FMLA entitlement is calculated on a pro-rata basis. A weekly average of the hours worked over the 12-weeks prior to the beginning of the leave will be used for calculating the employee's normal workweek (not to exceed 40 hours).
- E.** If a husband and wife are both employed by Navajo County and each wishes to take leave for the birth of a son or daughter, adoption or placement of a son or daughter in foster care, to care for a parent with a serious health condition, or for a qualifying military exigency, the husband and wife are only entitled to take a combined total of 12 weeks of FMLA leave. If a husband and wife are both employed by Navajo County and each wishes to take leave for the care of a qualified military servicemember, the husband and wife are only entitled to a combined total of 26 workweeks of FMLA leave.

3.35 INTERMITTENT OR REDUCED LEAVE SCHEDULE

- A.** An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule for the employee's own serious health condition; to care for a son, daughter or parent with a serious health condition; or to care for a covered military servicemember with a serious injury or illness. There must be a medical need for intermittent the leave that can best be accommodated through an intermittent or reduced leave schedule. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is based on scheduled medical treatment.
- B.** An employee may take leave intermittently or on a reduced leave schedule for birth, after-birth care or placement with the employee for adoption or foster care of a son or daughter. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave.
- C.** An employee may take leave intermittently or on a reduced leave schedule because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent (but not parent-in-law) is a covered military servicemember on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation.
- D.** If leave is approved on an intermittent or reduced schedule basis, only the time not actually worked by the employee will be counted toward the employee's allotment under the FMLA. The time not worked will be calculated on the basis of hourly increments.
- E.** An employee's request for intermittent or reduced schedule leave must be made in the same manner and within the same time restrictions as a request for FMLA leave on a consecutive day basis.

3.36 SUBSTITUTION OF PAID LEAVE

- A.** Except as set forth in paragraph D below, an employee on FMLA leave is required to use (and will be paid) accrued personal and annual leave in conjunction with the FMLA leave. Personal and annual leave may (and shall) be used in conjunction with any kind of FMLA leave. An employee is also required to use accrued sick leave in conjunction with the FMLA leave if the FMLA leave is for a reason for which the employee is eligible to use sick leave under Navajo County's sick leave policy (in which case all terms and conditions of the sick leave policy shall apply). FMLA leave shall be charged first to sick leave (if eligible), then to personal leave, then to annual leave.
- 1.** An employee who is using accrued paid leave in conjunction with FMLA leave will continue to accrue annual and sick leave at the employee's regular rate.
 - 2.** An employee is not entitled to leave accrual during periods of unpaid FMLA leave.
- B.** Except as set forth in paragraph D below, an employee may also request to use (and will be paid) any accrued compensatory time in conjunction with FMLA leave. Compensatory time must be used before personal or annual leave.
- C.** When an employee has exhausted all paid leave (or compensatory time) for a portion of FMLA leave and additional time off is needed, the employee may use unpaid leave for the balance of the employee's 12-week FMLA entitlement (26 weeks in the case of military caregiver leave as described in section 3.34.B above).
- D.** When an employee is receiving disability benefits or workers' compensation benefits for an FMLA-qualifying reason, the employee's ability to use accrued leave or compensatory time to supplement the disability or workers' compensation benefits will be determined solely in accordance with the terms of the applicable disability or workers' compensation policy.

3.37 CONTINUATION OF HEALTH BENEFITS

- A.** An employee on FMLA leave will continue to be covered under the employee's group health insurance plan under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. This means that the employee must continue to pay the required employee contribution(s) under the applicable plan(s). The employee may choose to discontinue coverage entirely during the FMLA leave period, in which case the employee will be reinstated without penalty upon the employee's return to work.
- B.** An employee on FMLA leave must pay the required employee contribution(s) either through payroll deduction (if accrued paid leave is being used in

(3.37 Cont.)

conjunction with the FMLA leave) or by timely direct payment to Payroll (if the FMLA leave is unpaid). When direct payment is required, the employee will be advised in writing as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occurs while the employee is on FMLA leave.

- C.** If the employee's contribution(s) is more than 30 days late, Navajo County may terminate the employee's insurance coverage. If the County elects to continue the coverage in effect, it may recover from the employee the amount of the employee contribution(s) that the employee failed to pay.
- D.** If an employee fails to return from unpaid FMLA leave for reasons other than (1) the continuation, recurrence or onset of a serious health condition of the employee or the employee's family member, or a serious injury or illness of a covered military servicemember, that would otherwise entitle the employee to FMLA leave, or (2) other circumstances beyond the employee's control, Navajo County will seek reimbursement from the employee for the portion of the premiums paid by the County on behalf of the employee (also known as the employer contribution) during the period of unpaid FMLA leave. Certification is required within 30 days of failure to return for either reason (1) or (2).

3.38 JOB PROTECTION

- A.** If an employee on FMLA leave returns to work on or before the expiration of the allowable period of FMLA leave, the employee will be restored to the employee's former position or an equivalent position with equivalent pay, benefits and other terms and conditions of employment, unless the employee is determined to be a "key employee." A key employee is a salaried FMLA-eligible employee who is among the highest-paid ten percent of all Navajo County employees. Job restoration may be denied to a key employee following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to the operations of Navajo County. Whether an employee is a key employee will be determined at the time of the request for FMLA leave.
- B.** An employee's restoration rights are the same as they would have been had the employee not been on FMLA leave. Thus, if the employee's position would have been eliminated or the employee would have been terminated but for the FMLA leave, the employee would not have the right to be reinstated upon return from the FMLA leave.
- C.** If the employee fails to return to work on or before the expiration of the allowable period of FMLA leave and has no more accrued leave or compensatory time, the employee may be terminated from employment with Navajo County. If the employee still has accrued leave or compensatory time, the employee may request to use such leave or compensatory time; any such request will be

(3.38 Cont.)

evaluated and granted or denied in accordance with the County's standard policies and procedures applicable to such leave or compensatory time. If the employee requests a leave of absence without pay, any such request will be evaluated and granted or denied in accordance with the County's standard policies and procedures applicable to such requests. Under no circumstances will the fact that an employee has been on FMLA leave prejudice or adversely affect the consideration of any such request.

3.39 PROCEDURE

A. NOTICE / PERIODIC REPORTS

1. An employee is required to give 30 days notice in the event of a foreseeable need for FMLA leave, with the exception of Qualifying Military Exigency leave. A "Family and Medical Leave Request Form" (available from Human Resources) must be completed by the employee and returned to the FMLA Coordinator in Human Resources. If the need for FMLA leave is not foreseeable, or is due to a Qualifying Military Exigency, the employee must provide as much notice as is practicable (usually oral notice within one or two business days of when the need for FMLA leave becomes known, followed by a completed "Family and Medical Leave Request Form"). The employee may be required to explain why 30 days notice was not practicable.
2. When an employee requests sick, personal or annual leave, a leave of absence or the use of compensatory time for a reason that may qualify for FMLA leave, the employee is required to provide enough information for the FMLA Coordinator to determine whether the FMLA applies. An employee need not specifically request FMLA leave to be placed on FMLA leave. If the employee or the employee's spokesperson provides enough information for the FMLA Coordinator to determine that the FMLA may apply, the FMLA Coordinator shall issue the notices required by the FMLA regulations and shall place the employee on FMLA leave when the Coordinator has enough information to determine that the FMLA applies. The employee shall cooperate with the FMLA Coordinator in making this determination, and a failure or refusal to cooperate will subject the employee to discipline for insubordination.
3. If the employee fails to give 30 days notice for a foreseeable need for FMLA leave with no reasonable excuse for the delay, the leave may be denied until 30 days after the employee provides notice.
4. Navajo County may retroactively designate leave as FMLA leave upon proper notice to the employee so long as there is no harm or injury to the employee by such retroactive designation (or the employee agrees to the retroactive designation).

(3.39 Cont.)

5. The employee will be required to furnish the FMLA Coordinator with periodic reports of the employee's status and intent to return to work as requested (but no more than every 30 days) while on FMLA leave. A failure or refusal to cooperate with such requests and provide such reports will subject the employee to discipline for insubordination.

B. CERTIFICATION

1. Medical certification is required for all medically related FMLA leave (a "Certification of Health Care Provider for Family and Medical Leave Act" form is available from Human Resources). The employee may submit an alternate form so long as all required information is provided. Failure of an employee to provide certification will result in FMLA leave being denied and may subject the employee to discipline for insubordination.
 - a. For the employee's own serious health condition, Navajo County may require a second or third medical opinion at its expense.
 - b. New medical certification will be required at the beginning of any FMLA leave year.
 - c. Recertification may be requested every 6 months for intermittent or irregular leaves.
 - d. Recertification may be requested sooner under extenuating circumstances (e.g., information is received that casts doubt on the continuing validity of the certification; circumstances described by the previous certification have changed significantly, etc.).
 - e. Recertification is required anytime an FMLA leave extension is requested.
2. Certification for a qualifying military exigency is required (a "Certification of Qualifying Exigency Military Family Leave" form is available from Human Resources).
3. Certification for leave to provide care for an eligible injured or ill military servicemember is required (a "Certification for Serious Injury or Illness of a Covered Servicemember" form is available from Human Resources).
4. Certification for bonding with the employee's newborn child or the placement of a child for adoption or foster care with the employee is required and may include a copy of the birth certificate, a copy of the placement papers, etc.

(3.39 Cont.)

5. When FMLA leave is taken due to the employee's own serious health condition, before returning to work the employee must provide a fitness-for-duty medical release from the employee's health care provider, releasing the employee to return to work and assume the duties of the position. If the employee is cleared for light duty only, the certification must clearly specify those duties the employee is cleared to perform.

3.40 CONFIDENTIALITY

All documentation related to the employee's or family member's medical condition will be held in strict confidence and maintained in the employee's medical records file (and not in the employee's personnel file) by the FMLA Coordinator.

Appendix C to Part 825—Notice to Employees Of Rights Under FMLA (WH Publication 1420)

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

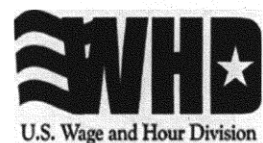
FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division



WHD Publication 1420 (Rev. XX-XXXX)

3.4 MILITARY LEAVE

3.41 Policy:

Military leave shall be granted in accordance with the provisions of State law.

3.42 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

3.43 Military Leave Requests:

In accordance with Arizona Revised Statutes, 38-610 and 26-168, Navajo County employees shall be granted leaves of absence from their duties without loss of time, pay or efficiency rating on all days during which they are employed on training duty or required to attend camps, maneuvers, formations or drills under orders with any branch, reserve or auxiliary of the armed forces of the United States for a period of not to exceed thirty days in any two consecutive years. For purposes of this section, an officer or employee shall not be charged military leave for days on which the individual was not otherwise scheduled for work. The period of time spent in training under orders shall not be deducted from their accrued annual leave to which any officer or employee is otherwise entitled. Employees taking military leave will provide a copy of their military orders to their Elected Official or Department Director.

3.44 Restoration to Position Following Military Service:

A Navajo County employee who has been inducted or ordered into active service in the armed forces of the United States for a period of greater than 30 days shall, upon completion of their service, be restored to the position held by them at the time of induction or of reporting for service, or to a position having similar or other duties which they are qualified to perform, if such officer or employee:

- A. possesses a certificate of satisfactory training and service or honorable discharge issued by the proper military or naval authority;
- B. is still qualified to perform the duties of the position;
- C. applies for restoration within sixty days after separation from the armed forces;
- D. has either served in the armed forces during time of war or was called to service because of his status as an active or inactive member of the reserve.

3.5 LEAVE OF ABSENCE WITHOUT PAY

3.51 Policy:

Leave of absence without pay is intended to provide regular employees with the time and flexibility to address important personal situations without jeopardizing their positions. It also allows the County to meet its long-term needs by retaining valued employees.

- A. A Department Director or Elected Official may approve an employee's leave of absence without pay for a maximum of 40 hours when it is in the best interest of the County to do so.
- B. A request for additional leave without pay beyond the 40 hours may be considered and approved by the Board of Supervisors.

3.52 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

3.53 Procedure:

- A. Requests for the leave without pay must be made in writing to the Elected Official or Department Director. The request must include the expected dates and the reasons for the leave. With the exception of those employees identified in Section 4.11 (C), if the Elected Official or Department Director believes that the leave can be accommodated without seriously disrupting departmental operations, he/she may approve the request. If not, the Elected Official or Department Director may disapprove the leave.
- B. The employee's position will be held for him/her during the approved dates of the leave, although it may be filled on a temporary basis. If he/she returns by the specified return date, the employee will be placed in the position he/she left. If the employee fails to return by the specified date, his/her employment shall be terminated.
- C. An employee shall use all available annual and/or sick leave prior to going on unpaid status.
- D. Leave hours will not be accrued during any period of leave without pay.

3.54 Health Benefits:

The continuation of Health Benefits will require the employee to pay the full cost of coverage (both employer- and employee-paid portions) during the leave period in

(3.54 Cont.)

accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Plan Document/Summary Plan Description of the Arizona Public Employers Health Pool.

3.55 Unauthorized Absence:

Unless an employee has obtained approval for a leave of absence without pay or falls within the provisions for some other type of leave designated in this manual, the employee's absence shall be considered absence without leave or unauthorized absence. Absence without leave and unauthorized absences will be unpaid, and during that time, sick and annual leave and holiday benefits will not accrue. Unauthorized absences can constitute "job abandonment" by Navajo County and may result in dismissal.

3.6 ADMINISTRATIVE LEAVE

3.61 Policy:

Administrative leave is intended for use in situations involving potential disciplinary action. An employee may be placed on administrative leave for an investigation to be conducted by the Elected Official or Department Director. In addition, an employee may be placed on administrative leave prior to, during, and after a personnel hearing. Administrative leave is a temporary measure used while a disciplinary action is being considered. Administrative leave is paid leave.

3.62 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

3.63 Administrative Guidelines

- A. A Department Director or Elected Official may place an employee on paid Administrative Leave if circumstances warrant the immediate removal of the employee from the workplace. Extension of Administrative Leave beyond ten working days must be concurred by the County Manager.
- B. Circumstances when Administrative Leave may be warranted are:
 - 1. An employee is charged with a felony or other crime involving moral turpitude.
 - 2. Where it is deemed in the best interests of the County that an inquiry be made into the conduct of the employee or the employee's continued suitability for employment.
 - 3. In cases which may include, but are not limited to, matters involving alleged criminal activities which are not described in these Personnel Policies or serious breaches or deficiencies in job related conduct or performance and serious breaches of non-job related conduct.
- C. Administrative Leave of more than 10 working days but not more than 30 may be initiated with the approval of the County Manager and Board of Supervisors.
- D. At the conclusion of such Administrative Leave, the employee shall be returned to work and/or advised of disciplinary or other action(s).
- E. Under certain circumstances, an employee may be reassigned to a different position within the Country.

3.7 CIVIL LEAVE

3.71 Policy:

Employees shall be given time off without loss of pay or leave time when performing any of the following:

- A. Jury duty. Employees receiving time off with pay for jury duty will be required to pay the County the stipend received for jury duty. Employees may keep per diem and mileage allowances. The employee may elect to use annual leave and keep all fees.
- B. Voting. An employee shall be allowed necessary time off without loss of pay or leave time for the purpose of voting in a State, Federal or Tribal election when the polls are not open at least three hours before or after the employee's normal scheduled hours of work. Time allowed will provide a total of three consecutive hours after the opening of the polls or prior to the closing of the polls (employees working 8 am to 5 pm would start at 10 am or quit at 4 pm).
 - 1. In order to obtain voting leave an employee must provide justification for the request (why they are unable to vote before or after normal working hours) and must apply for time off prior to the day of election.
 - 2. If approved, the Department Director or Elected Official may specify whether the time will be taken at the start of or at the end of the workday.

3.72 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

3.8 PERSONAL LEAVE

3.81 Policy:

- A. Personal leave may be granted by a Department Director or Elected Official so that an employee can take care of personal business which cannot be conducted before or after normal working hours.
- B. Full-time employees shall be credited on July 1 of each year with 16 hours of Personal Leave unless otherwise authorized by the Board of Supervisors. Employees hired throughout the fiscal year shall receive Personal Leave according to the following schedule:

MONTH OF HIRE	HOURS CREDITED
July – August	16
September – October	13
November – December	10
January – February	7
March – April	4
May – June	1

- C. Part-time employees shall be credited for Personal Leave at one-half the hours above. Temporary and seasonal employees shall not receive Personal Leave credits.
- D. Personal Leave cannot carry over from one fiscal year to the next. Unused Personal Leave shall be forfeited on June 30 of each year.
- E. An employee transferring from one department to another shall retain any personal leave credit.

3.82 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

3.9 VICTIM'S LEAVE

3.91 Policy

In accordance with ARS §§ 8-420 and 13-4439, the County will grant an employee who has been a victim of a crime or a juvenile delinquent act, time off to attend certain types of court-related proceedings in accordance with the foregoing statutes. This policy will always be interpreted and applied in a manner consistent with the most current version of the statutes.

3.92 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

3.93 Statutory Definitions:

Victim: a person against whom a criminal offense (or delinquent act) has been committed, including a minor, or if the person is killed or incapacitated, the person's spouse, parent, child, grandparent or sibling, any other person related to the person by consanguinity or affinity to the second degree or any other lawful representative of the person, except if the spouse, parent, child, grandparent, sibling, other person related to the person by consanguinity or affinity to the second degree or other lawful representative is in custody for an offense or is the accused.

Lawful representative: a person who is designated by the victim or appointed by the court and who acts in the best interests of the victim.

Undue hardship: a significant difficulty and expense to the business of the County, considering the size of the County's business and the County's critical need of the employee.

3.94 Procedure

- A. An employee who qualifies as a victim is allowed to leave work to be present at any juvenile court-related proceeding listed in ARS § 8-420 or adult court-related proceeding listed in ARS § 13-4439.
- B. An employee must use accrued annual, sick or personal leave to attend the court-related proceeding. Victim's leave without pay will be permitted once all accrued leave time is exhausted.
- C. When an employee desires to leave work to attend a court-related proceeding under this policy, the employee shall provide the supervisor with a copy of the victim form originally provided to the employee by the law enforcement agency, as well as a copy of the notice of the proceeding.
- D. All records of victim's leave are confidential.

(3.94 Cont.)

- E. Victim's leave may not be limited unless the leave would create an undue hardship to the County. The County Manager's concurrence is required before a leave request may be denied. The employee should then notify the prosecutor, in which case the prosecutor must notify the court and the court must take the victim's situation into consideration.
- F. The use of victim's leave will have absolutely no adverse consequences to the employee in regard to employment with the County.

SECTION 4: EMPLOYEE CONDUCT

- 4.1 Political Activity
- 4.2 Conflict of Interest
- 4.3 Unlawful Discrimination and/or Harassment
- 4.4 Confidentiality
- 4.5 Employee Conduct
- 4.6 Discipline
- 4.7 Grievance Process
- 4.8 Appeal of Disciplinary Actions
- 4.9 Disciplinary Appeals Review Commission

4.1 POLITICAL ACTIVITY

4.11 Policy:

Except for exercising their right to vote pursuant to A.R.S. 16-402, County employees shall not engage in any political activity while on duty, while in uniform or while engaged in County business or travel. (For purposes of this policy, Elected Officials are not deemed County employees. They are covered under A.R.S. §38-296 as far as political activity is concerned.)

A. County employees shall not:

1. Use their official authority or influence for the purpose of interfering with, or affecting the result of an election or a nomination for office;
2. Directly or indirectly coerce, attempt to coerce, command or advise a state or local officer or employee to pay, lend or contribute anything of value to a political party, committee, organization, agency or person for a political purpose;
3. Engage in any political activity during scheduled working hours while on duty, while in uniform or while engaged in County business or travel. Examples (not all-inclusive) of prohibited activity:
 - a. Posting of campaign signs on County property;
 - b. Circulation of nominating petitions among employees;
 - c. Campaigning during working hours;
 - d. Campaigning during county-reimbursed travel.
4. Be required by any County official or employee as a condition of employment, promotion or otherwise, to participate or not participate in any election campaign for any public office or in any partisan political activity whatsoever;
5. Use, or cause to be used, any Navajo County facility, equipment or material for the purpose of any political activity.

B. A County employee not subject to the state or federal Hatch Acts (see paragraph D) may be a candidate for and may serve in an elected or appointed public non-partisan office, whether paid or not, including, but not limited to school boards, community college district governing boards and city and town councils, as long as the holding of such office does not present a conflict or interfere with the performance of the employee's County duties.

C. A County employee who offers himself/herself for nomination or election to any paid partisan political office shall take a leave of absence or resign from County service. An employee shall be deemed to have offered himself for nomination or election to a salaried elected office upon the filing of a nomination paper pursuant to A.R.S. § 16-311, Subsection A; or by making a formal public declaration of candidacy, whichever occurs first.

(4.11 Cont.)

1. A leave of absence shall not be approved for more than 180 calendar days.
2. A leave of absence may be charged to annual, personal, and/or leave without pay pursuant to Sections 3.1, 3.8 and 3.5 of these policies.
3. During an approved leave of absence without pay, an employee may continue his/her insurance coverage pursuant to Section 3.54 of these policies.
4. The employee shall return to his/her regular position upon completion of the leave of absence.
5. The leave of absence will terminate no later than the canvass of the election in which the employee is a candidate.
6. If elected, the employee shall resign no later than the date on which the employee takes office.

D. **County employees subject to the federal Hatch Act or Arizona Little Hatch Act are prohibited from becoming candidates for a paid partisan political office or taking active part in the management of partisan political campaigns; Such employees must resign from County service.** It is the obligation of each employee to understand the funding of his/her position and determine whether the Hatch Act or Little Hatch Act may apply.

1. An employee may be subject to the Hatch Act if his/her salary is paid in whole or part through federal grants or federal monies other than revenue sharing funds.
2. An employees may be subject to the Little Hatch Act if his/her salary is paid in whole or part through state grants and he/she is deemed a "state employee".

- E. A County employee who violates any provision of this section shall be subject to disciplinary action which may include demotion, suspension without pay, or dismissal.
- F. This section is not intended to deny any employee any civil or political liberties as guaranteed by the United States and Arizona Constitutions.

4.12 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

4.2 CONFLICTS OF INTEREST

4.21 Purpose

This policy describes the situations in which a Navajo County elected official, officer or employee may have a conflict of interest, as well as the actions that must be taken if a conflict of interest does exist.

This policy implements the requirements of the Arizona conflict of interest statutes, A.R.S. § 38-501 to § 38-511. A complete discussion of these statutes may be found in Chapter 8 of the Arizona Attorney General's Arizona Agency Handbook, http://www.azag.gov/Agency_Handbook/ch8.pdf.

4.22 Coverage

This policy applies to all Navajo County elected officials, officers and employees, classified and unclassified. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

4.23 Violations

A violation of this policy is extremely serious and may result in discipline up to and including termination.

In addition, elected officials, officers and employees should be aware that violations of the Arizona conflict of interest statutes can lead to criminal prosecution. A negligent violation of the statutes may be prosecuted as a class 1 misdemeanor, while an intentional violation may be prosecuted as a class 6 felony. Upon conviction, the elected official, officer or employee automatically forfeits his or her office or employment.

4.24 County Attorney opinions

The conflict of interest laws can be difficult to apply to a particular set of facts. Elected officials, officers and employees should always err on the side of caution and should seek guidance or a formal opinion from the County Attorney before becoming involved in any matter that might constitute a conflict of interest. Requests for opinions shall be confidential, but written opinions shall be filed with the County Recorder and available for public inspection.

4.25 Definitions

Whether a conflict of interest exists depends on whether the elected official, officer or employee (or his or her "relative," as defined below) has a "substantial interest" (as defined below) or a "remote interest" (as defined below) in the matter. For purposes of this policy, the following terms are defined as follows:

(4.25 Cont.)

"County" means Navajo County or any affiliated entity for which the Board of Supervisors serves as the board of directors (Flood Control District, Public Health Services District, Library District, County Improvement Districts, etc.).

"Relative" means an elected official's, officer's or employee's spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses, and the parent, brother, sister or child of a spouse. Other persons may legally be relatives but are not defined as relatives for purposes of the conflict of interest laws.

"Substantial interest" means any pecuniary (monetary) or proprietary (ownership) interest on the part of an elected official, officer or employee or his or her relative, either direct or indirect, other than a "remote interest." If a pecuniary or proprietary interest does not fit within the definition of a remote interest, it is a substantial interest.

"Remote interest" on the part of an elected official, officer or employee or his or her relative means:

- a. The interest of a non-salaried officer of a non-profit corporation.
- b. The interest of a landlord or tenant of a contracting party.
- c. The interest of an attorney of a contracting party.
- d. The interest of a member of a non-profit cooperative marketing association.
- e. The ownership of less than 3% of the shares of a for-profit corporation, provided the total annual income from dividends, including the value of stock dividends, from the corporation does not exceed 5% of the total annual income of the County elected official, officer or employee or his or her relative and any other payments made to him or her by the corporation do not exceed 5% of his or her total annual income.
- f. The interest of a County elected official, officer or employee or his or her relative in being reimbursed for his or her actual and necessary expenses incurred in the performance of official duty.
- g. The interest of a recipient of public services generally provided by the County, on the same terms and conditions as if the County elected official, officer or employee were not a County officer or employee.
- h. The interest of a County elected official, officer or employee or his or her relative, unless the contract or decision involved would confer a direct economic benefit or detriment upon the elected official, officer or employee or his or her relative, of any of the following:
 - i. Another political subdivision.
 - ii. A public agency of another political subdivision.
 - iii. A public agency other than the County.
- i. The interest of a member of a trade, business, occupation, profession or class of persons consisting of at least ten members which is no

greater than the interest of the other members of that trade, business, occupation, profession or class of persons.

4.26 Conflicts of interest in procurement matters

1. **Existence of conflict.** A conflict of interest exists if an elected official, officer or employee or his or her relative has a substantial interest in any contract with, sale to, purchase by or service to the County.
2. **Requirements if conflict exists.** The elected official, officer or employee with a conflict must:
 - a. **Declare the conflict** by either:
 - i. Completing the *Conflict of Interest Disclosure Form* (Appendix A to this policy) and filing it with the Clerk of the Board of Supervisors for inclusion in the Clerk's public conflict of interest disclosure file; or
 - ii. Fully declaring the conflict during a public meeting so that the relevant portion of the meeting minutes may be included in the Clerk of the Board of Supervisors' public conflict of interest disclosure file. This means describing the nature of the conflict in reasonable detail comparable to the *Conflict of Interest Disclosure Form*, not merely stating "I have a conflict."
 - b. **Refrain from voting upon or otherwise participating in any manner** in the decision on the contract, sale, purchase or service or the discussions leading to the decision.
3. **Additional requirement for public competitive bidding.** No elected official, officer or employee may supply to the County any equipment, material, supplies or services, unless pursuant to an award or contract entered into after public competitive bidding. This means that public competitive bidding is required even if the procurement is of a dollar amount or nature for which public competitive bidding would not otherwise be requirement under the County's procurement policy.

4.27 Conflicts of interest in non-procurement matters

1. **Existence of conflict.** A conflict of interest exists if an elected official, officer or employee or his or her relative has a substantial interest in any decision made by the County.
2. **Requirements if conflict exists.** The elected official, officer or employee with a conflict must:
 - a. **Declare the conflict** by either:
 - i. Completing the *Conflict of Interest Disclosure Form* (Appendix A to this policy) and filing it with the Clerk of the

Board of Supervisors for inclusion in the Clerk's public conflict of interest disclosure file; or

- ii. Fully declaring the conflict during a public meeting so that the relevant portion of the meeting minutes may be included in the Clerk of the Board of Supervisors' public conflict of interest disclosure file. This means describing the nature of the conflict in reasonable detail comparable to the *Conflict of Interest Disclosure Form*, not merely stating "I have a conflict."

- b. Refrain from voting upon or otherwise participating in any manner in the decision or the discussions leading to the decision.

4.28 Conflict of interest disclosure file

The Clerk of the Board of Supervisors shall maintain a separate file, available for public inspection and copying, of all conflict of interest disclosures made pursuant to Sections 4.26 and 4.27 of this policy.

4.29 Related prohibitions

1. No elected official, officer or employee may receive or agree to receive, directly or indirectly, compensation other than as provided by law for any service rendered or to be rendered by him or her personally in any case, proceeding, application or other matter pending before the County.
2. An elected official, officer or employee shall not use or attempt to use his or her official position to secure any valuable thing or valuable benefit that would not ordinarily accrue to him or her in the performance of his or her official duties if the thing or benefit might substantially and improperly influence him or her in the performance of his or her official duties.
3. During the period of County service and for 12 months after the termination of County service, an elected official, officer or employee shall not represent another person for compensation before the County concerning any matter in which the elected official, officer or employee is or was directly involved.
4. During the period of County service and for two years after the termination of County service, an elected official, officer or employee shall not disclose or use for the elected official's, officer's or employee's personal profit, without authorization by the Board of Supervisors, any information acquired by the elected official, officer or employee in the course of his or official duties which has been clearly designated as confidential.

4.30 Duty to report

Because eliminating conflicts of interest is essential to good government, and because a violation of the conflict of interest laws may be criminal in nature, an elected official, officer or employee with specific factual information suggesting

the existence of an undeclared conflict on the part of another elected official, officer or employee shall bring this information to the attention of the County Attorney for investigation and appropriate action.

APPENDIX A

NAVAJO COUNTY CONFLICT OF INTEREST DISCLOSURE FORM

TO: Clerk of the Board of Supervisors

FROM: _____

[Name and position of elected official, officer or employee]

RE: CONFLICT OF INTEREST DISCLOSURE PURSUANT TO A.R.S. §§ 38-501 to 38-511

1. Identify the decision, procurement or other matter in which you or your relative may have a "substantial interest" under A.R.S. §§ 38-501 to 38-511:

2. Describe the "substantial interest" referred to above:

STATEMENT OF DISQUALIFICATION

To avoid any possible violation of A.R.S. §§ 38-501 to 38-511, I hereby declare a conflict of interest and will refrain from participating in any manner in the matter identified above.

Signature

Print name

Date

4.3 UNLAWFUL DISCRIMINATION AND/OR HARASSMENT

4.31 Policy:

Navajo County is an equal opportunity employer and prohibits discrimination and/or harassment based upon an individual's race, color, religion, age (40 years and above), sex, disability, national origin or veteran status by or against County personnel, including its officers, agents, or employees.

4.32 Coverage:

This policy applies to all classified and unclassified positions and Elected Officials. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

4.33 Equal Employment Opportunity/Nondiscrimination

Discrimination against an individual based upon his/her race, color, religion, age (40 years and above), sex, disability, national origin, or veteran status in recruitment, appointment, examination, training, pay, promotion, retention, discipline, or in any other employment process is prohibited except in the instance of a bonafide occupational qualification.

4.34 Harassment

Navajo County is committed to providing all employees with a work environment free from sexual harassment as well as other types of harassment based upon an individual's race, color, religion, age (40 years and above), sex, disability, or national origin. Workplace behaviors based upon the protected categories listed above constitute prohibited harassment when:

- A. submission to such conduct is made either explicitly or implicitly a term of employment;
- B. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual;
- C. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

4.35 Reporting a Complaint

County personnel have an affirmative duty to maintain an environment that is free of prohibited discrimination and harassment. An employee who is offended by the conduct of another person or who feels that another's conduct interferes with the work environment is encouraged to speak directly with the individual engaging in objectionable behavior and request that the behavior be discontinued.

(4.35 cont.)

Complaints or reports of unlawful discrimination and/or harassment should be taken to the Human Resources Director. Elected Officials and all other individuals exercising managerial or supervisory authority on behalf of Navajo County who receive complaints or reports of unlawful discrimination and/or harassment or who have reason to believe that a violation of this policy may have occurred, shall immediately inform the Human Resources Director, unless the Director is the subject of the complaint. Should the Human Resources Director be the subject of the complaint, reports should be taken to the County Manager.

4.36 Procedure

- A. The following steps will be taken to address complaints of harassment and/or discrimination.
 - 1. The Human Resources Director or designee shall convene a Committee to investigate the charges.
 - 2. After thorough review, the Investigative Committee shall issue a report on its findings and recommendations and submit to the Human Resources Director.
 - 3. If a basis is found for the complaint, the Human Resources Director and/or designee shall forward the report to the Department Director or Elected Official.
 - 4. Upon receipt, the Department Director, Elected Official or the County Manager shall take disciplinary action, consistent with the recommendations, up to and including termination of the offending party.
 - 5. If the Investigative Committee determines there is no basis for the complaint, the Human Resources Director or designee shall inform the appropriate Department Director or Elected Official, the employee and the complaint defendant of the outcome of the investigation.
- B. Employees shall cooperate with any investigation and shall treat information obtained during the course of the investigation as confidential. The Human Resources Director shall work with the responsible Elected Official, Department Director, Deputy County Attorney, or County Manager to address any identified problem.

4.37 Confidentiality:

Confidentiality of all parties involved shall be respected to the extent that it does not interfere with the County's legal obligation to investigate allegations of misconduct and take appropriate action.

4.38 Retaliatory and other Prohibited Conduct:

The County shall not allow reprisal in any form against any employee for exercising his/her rights under this policy. Employees who violate this policy are subject to disciplinary action, up to and including termination.

4.4 CONFIDENTIALITY

4.41 Policy:

All employees are to treat the internal business affairs and operations of Navajo County as proprietary and confidential assets. It is the responsibility of each employee to take active steps to ensure the confidentiality of this information.

4.42 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at will” status of an unclassified employee.

4.43 Procedures:

- A. Employees shall discuss confidential information only with those individuals who have a legitimate “need to know” in keeping with general County interests. In addition, each employee shall have the responsibility to avoid unnecessary disclosure of any information related to any County business, whether or not it is confidential.
- B. All media or other inquiries shall be referred to the County Manager, the Clerk of the Board, the County Attorney, or the appropriate Elected Official. These individuals may designate another employee, where appropriate, to respond to the inquiries.
- C. Department Directors and Elected Officials are responsible for identifying information that should be classified as confidential. The fact that a document is not marked as “confidential” does not mean that it is not in fact confidential and subject to the rules outlined above.
- D. Many aspects of County operations are open to the public. The County actively supports public oversight and willingly provides information to the public as it is requested.
- E. In keeping with the provisions contained in ARS § 38-532, if an employee observes actions that he/she believes violate County policies and/or state or federal laws, this employee shall report these actions to the County Manager, the County Attorney, or the appropriate Elected Official. This reporting is consistent with and encouraged under this policy, even when the information is confidential. The County will not retaliate against any employee who reports these items in a reasonable manner as described above.
- F. Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

4.5 EMPLOYEE CONDUCT

4.51 Policy:

The employment of any individual by Navajo County depends upon acceptable conduct and satisfactory work performance. The items listed below provide examples of prohibited employee conduct. This list is illustrative only and is not intended to be all inclusive.

4.52 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

4.53 Prohibited Conduct:

- A. The following list includes examples of actions that constitute prohibited employee conduct and are grounds for disciplinary action up to and including termination from employment.
1. violation of County safety rules
 2. conviction of a felony or engaging in any activity which would violate State and Federal criminal statutes
 3. threatening, intimidating or coercing a co-worker or member of the public
 4. using foul or abusive language towards a co-worker, supervisor, or the public
 5. intentionally causing physical harm and/or assaulting a co-worker or member of the public
 6. willfully defacing or destruction of County property and/or the property of others located at any prescribed County work location
 7. misuse or abuse of County-owned or County based equipment or property
 8. performing unauthorized personal work or activities during scheduled working hours
 9. discourteous treatment of the public
 10. engaging in prohibited political activity
 11. abuse of sick leave, excessive absenteeism or habitual tardiness
 12. neglect of duty or failure to take reasonably required action

(4.53 cont.)

13. refusal or failure to answer questions completely and honestly during an administrative investigation
14. giving false information in regard to one's own or a co-worker's actions
15. violating the County confidentiality policy
16. malicious gossip or accusations which tend to disrupt friendly relations between the County and the public, or between employees which may hinder County operations
17. sleeping while on duty
18. being in possession of, or under the influence of alcohol or illegal drugs while on duty or any other violation of the substance abuse prevention or the drug-free workplace policies
19. commission or conviction of any felony or misdemeanor involving moral turpitude which adversely reflects on the County or affects the employee's suitability for continued employment
20. insubordination, willful disobedience, or violating an official regulation or order
21. loss of required qualifications, license, or certification
22. fraud concerning theft or mishandling of County funds
23. falsification or unauthorized alteration of records, time sheets or any other information required by the County
24. seeking to obtain financial, sexual or political benefit from another employee by wrongful use of position, force or fear
25. abuse of position or official authority when interacting with employees or members of the public
26. employee job performance does not meet expectations; incompetence
27. any prohibited harassment or discrimination as provided by these policies, local, state, or federal law
28. unauthorized possession of County property
29. absence from work without approved leave

(4.53 cont.)

30. unauthorized possession of firearms, lethal weapons or explosives
31. working unauthorized overtime hours
32. illegally taking County property, equipment or funds for personal use
33. use of computer resources or e-mail for personal use without supervisory approval
34. providing false or misleading information in any document, report, or statement related to his/her employment with the County. (Including but not limited to the employment application and related materials, complaints, and grievances.)
35. engaging in conduct, either during or outside of regular hours, that causes discredit to the County
36. any other improper conduct undermining the proper and efficient operation of County functions
37. others that may be deemed necessary and appropriate

4.6 DISCIPLINE

4.61 Policy:

The continued employment of any individual with Navajo County depends upon acceptable conduct and satisfactory work performance. Failure to comply with the policy provisions contained in this manual constitutes sufficient grounds for disciplinary action up to and including termination of employment.

4.62 Coverage:

This policy applies to all classified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

4.63 Pre-Action Meetings:

- A. Prior to any disciplinary action consisting of suspension without pay or reduced pay, demotion or discharge of a classified employee, the Elected Official or Department Director shall hold a pre-action meeting with the employee. The purpose of the pre-action meeting is to present and discuss the charges subject to the disciplinary actions identified above.
- B. The following guidelines shall apply to this meeting:
 - 1. The employee shall be provided written notice of the disciplinary charges, as well as the date and time of the pre-action meeting, at least 24 hours in advance.
 - 2. During the meeting, the Elected Official or Department Director shall describe the disciplinary charges and any other issues that have bearing on the situation.
 - 3. The employee shall be given the opportunity to respond to the disciplinary charges and to provide any additional information that the employee believes to be relevant to the charges.
 - 4. The Department Director or Elected Official shall prepare a written record of the meeting, summarizing the charges and responses of the employee.
 - 5. The employee may have a representative attend the meeting as an observer. However, this person shall not be allowed to participate.
 - 6. At the conclusion of the meeting, the Elected Official or Department Director shall:
 - a. impose the discipline as proposed or;
 - b. modify the discipline and impose it as modified; or
 - c. revoke the proposed discipline.
 - 7. If the employee is suspended without pay, demoted or terminated, the Elected Official or Department Director shall furnish the Clerk of the Board of Supervisors, the employee and the Human Resources Director with a written statement of the grounds and specific reasons for the decision. The employee must also be notified of the right to appeal the disciplinary

(4.63 cont.)

action to the Disciplinary Appeals Review Commission. Law enforcement personnel must be notified of their rights under ARS §38-1101.

- C. Attempts will be made to schedule the pre-action meeting at a time that is convenient for the employee. Should the employee fail to appear for the pre-action meeting, the Elected Official or Department Director will proceed with the proposed disciplinary action.

4.64 Types of Discipline:

The types of discipline that may be taken to correct and discipline employees are listed below. The intent of this material is to describe typical disciplinary actions, but is not intended to limit the range of possible disciplinary actions or to create a progressive discipline policy. The seriousness of the offense may warrant imposing a more serious form of discipline, even termination, prior to utilizing lesser forms of discipline.

Before taking disciplinary action involving a suspension, demotion, or termination, the Department Director/Elected Official shall review and discuss with Human Resources. If there is a situation where action must be taken prior to review by Human Resources, it must be reviewed by Human Resources as soon as possible.

- A. **Verbal Warning:** Prior to imposing a written warning for a minor offense, the Department Director/Elected Official may choose to provide a verbal warning in order to discuss the offense and the corrective action required by the employee.
1. The Department Director/Elected Official shall document the offense and the plan for corrective action with a copy provided to the employee.
 2. A verbal warning does not require a pre-action meeting prior to imposition.
 3. An employee disciplined with a verbal reprimand may not grieve or appeal under these policies.
- B. **Written Warning:** For repeated violations following a verbal warning, or in instances where the misconduct warrants a more serious type of discipline, a written warning may be issued to the employee.
1. The reprimand will briefly describe the offense and the corrective action.
 2. The written warning will be discussed with the employee and the employee shall be asked to sign the warning to acknowledge receipt.
 3. A copy of the reprimand will be placed in the employee's official personnel file.
 4. This disciplinary step does not require a pre-action meeting prior to imposition.
 5. An employee disciplined with a written reprimand may not grieve or appeal under these policies.

(4.64 Cont.)

- C. **Suspension Without Pay:** An employee may be suspended without pay at any time for a disciplinary purpose.
1. Prior to imposing a suspension without pay, a pre-action meeting must be held with the employee in accordance with the provisions of Section 4.63.
 2. Suspensions without pay shall not exceed 30 calendar days.
 3. The Notice of Discipline regarding the offense and the reasons for the suspension shall be documented in memo form and discussed with the employee. The employee shall be asked to sign to acknowledge the memo.
 4. A copy of the memo shall be placed in the employee's official personnel file.
 5. An employee may appeal the suspension without pay in accordance with the provisions contained in Section 4.8 of this manual.
- D. **Involuntary Demotion:** The Department Director/Elected Official may demote an employee whose performance does not meet expectations, or for disciplinary purposes.
1. Prior to imposing an involuntary demotion, a pre-action meeting must be held with the employee in accordance with the provisions of Section 4.63.
 2. The Notice of Discipline regarding the reason for the demotion shall be documented in memo form and discussed with the employee. The employee shall be asked to sign to acknowledge the memo.
 3. A copy of the memo shall be placed in the employee's official personnel file.
 4. An employee may appeal an involuntary demotion in accordance with the provisions contained in Section 4.8 of this manual.
- E. **Termination of Employment:** An employee may be terminated for cause at any time by the Department Director or Elected Official.
1. Prior to terminating an employee for cause, a pre-action meeting must be held with the employee in accordance with the provisions of Section 4.63.
 2. Should the employee fail to attend the pre-action meeting (as in the case of job abandonment), the Notice of Discipline documenting the reasons for the termination shall be recorded in a letter and delivered to the employee either in person or via mail to the employee's last known address and a copy will be placed in the employee's official personnel file.
 3. An employee may appeal the termination in accordance with the provisions contained in Section 4.8 of this manual.
 4. When an employee is terminated from employment under the provisions of this section, he/she shall be paid all wages due within three working days or the end of the next regular pay period, whichever is earlier, pursuant to A.R.S. § 23-533.

4.7 GRIEVANCE PROCESS

4.71 Policy:

- A. To informally, if possible, resolve grievances at the employer/supervisor level.
- B. To provide for two-way, employee/employer communication.
- C. To promote harmonious relationships between employees, supervisors and management.

4.72 Coverage:

This policy applies to all classified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

4.73 Matters Not Subject to Grievance Procedure:

Terminations, involuntary demotions, and suspensions without pay may not be appealed under these grievance procedures. These matters may be appealed as provided in Section 4.8. Employee compensation, verbal or written reprimands and performance appraisals are also not appealable under this policy. Additionally, complaints of discrimination or harassment are covered by the harassment/discrimination policy contained herein.

4.74 Matters Subject to Grievance Procedure:

Except as stated in 4.73 above, a classified employee may use the appropriate grievance procedure for any decision occurring within his/her immediate chain of command that affects his/her employment with the County.

4.75 Informal Grievance Procedure:

Any employee who has a problem or complaint should first try to settle it through discussion with his/her immediate supervisor. If, after this discussion, he/she does not believe the problem has been satisfactorily resolved, he/she shall have the right to discuss it with his/her Elected Official or Department Director. Every effort should be made to find an acceptable solution by informal means.

4.76 Formal Grievance Procedure:

Issues that cannot be resolved through the informal grievance procedure may be taken to the formal procedure. This step will be taken within ten working days following the incident. The levels of review in the formal grievance procedure follow the chain of command and are listed below:

- A. First Level of Review:

(4.76 cont.)

1. The grievance shall be presented in writing to the employee's immediate supervisor.
 - a. The immediate supervisor shall review the grievance and shall render his/her decision and rationale in writing to the employee. The immediate supervisor shall deliver this material to the employee within 5 working days of receiving the grievance.
 - b. If the employee does not agree with his/her immediate supervisor's decision, or if no answer has been received within five working days, the employee may present the grievance in writing to the next level in his/her chain of command. Failure of the employee to take further action within five working days following either the receipt of the supervisor's response or the expiration of the supervisor's deadline (whichever comes first) will terminate the grievance.

B. Follow-Up Levels of Review:

1. When the grievance is received by the next level in the chain of command, this supervisor shall review the material, conduct the appropriate investigation and render his/her decision in writing and deliver the decision to the employee within ten business days.
2. If the employee does not agree with the decision or, if no answer has been received within ten working days, the grievance can continue to be elevated to each subsequent step in the chain of command as specified in the steps above until reaching the Department Director or Elected Official.
3. Failure of the employee to take further action within five working days following either the receipt of the supervisor's response or the expiration of the supervisor's deadline (whichever comes first) will terminate the grievance.
4. Following the investigation of the grievance, the Department Director/Elected Official shall render his/her decision in writing and shall deliver the decision to the employee within ten working days. The decision regarding the matter will be final, and the grievance will be terminated.

4.77 Conduct of Grievance Procedure:

- A. The time limits specified above may be extended by mutual agreement of the employee and management.
- B. The employee may be allowed to use a reasonable amount of work time to prepare for the grievance. "Reasonable amount of work time" shall be defined by the appropriate Elected Official or Department Director and shall not unduly disrupt the normal operations of the department.
- C. Once a grievance has been terminated, either through direct action or by inaction, the grievance cannot be reinstated.

(4.77 Cont.)

- D. Once the grievance process has been concluded and a decision has been made by the Department Director/Elected Official, the grievance cannot be reopened.
- E. Employees shall be free from reprisal for using the grievance procedures in good faith.

4.8 APPEALS OF DISCIPLINARY ACTIONS

4.81 Policy:

A regular status classified employee who has been suspended without pay, demoted or terminated may file an appeal with the Disciplinary Appeals Review Commission.

Positions Not Covered

The following positions have no right of appeal to the Commission:

1. County Manager
2. Chief Deputy to an Elected Official
3. Department Directors
4. Deputy Directors, not to exceed three in each department. If a department has more than three Deputy Directors, the department shall designate in writing to the board of supervisors and the Human Resources Director those positions which have no right of appeal to the Disciplinary Appeals Review Commission.
5. No more than one position in each department which reports directly to the Department Director (or Elected Official) or to a Deputy Director (or Chief Deputy), Each such position shall be designated in writing by the department to the Board of Supervisors and the Human Resources Director.
6. Certain administrative positions, not to exceed 5% of the total number of County appointive officers and employees, declared exempt by resolution of the Board of Supervisors.
7. All positions covered under the Judicial Disciplinary Appeals Review System.

4.82 Notice of Appeal

A notice of appeal to the Disciplinary Appeals Review Commission shall be filed by an eligible employee within ten business days after notification of the disciplinary action pursuant to Section 4.63 (B) (7). The notice of appeal shall be filed with the Clerk of the Commission and shall state the facts upon which it is based and the remedy requested. The employee shall also provide copies of the notice to the County Manager, the Human Resources Director and the Elected Official or Department Director. If the notice of appeal is not timely filed with the Clerk of the Commission, the Commission will not hear the appeal.

4.83 Notice of Hearing:

If the appeal is timely filed, the Disciplinary Appeals Review Commission Chairperson, in coordination with the Human Resources Director, shall provide a notice of hearing to the employee and the Department Director or Elected Official and shall convene a hearing within twenty days of receipt of the notice of appeal.

(4.83 cont.)

Within three working days of receipt of the notice of hearing from the Commission Chairperson, each party shall provide the Chairperson with written notice as to how the party intends to be represented. The notice shall include the name, mailing address and telephone number of the representative.

Within five working days of receipt of the notice of hearing, the employee and the Elected Official or Department Director shall each provide to the Commission Chairperson copies of all documents to be used as evidence at the hearing and a list of witnesses who are expected to testify.

Upon request by the employee, the Elected Official or Department Director shall provide, at least five days prior to the hearing, copies of all records, policies and other documents that are pertinent to the appeal and subject to disclosure under the Public Records Law, A.R.S. § 39-121 to 39-124.

4.84 Nature of the Hearing

The Chairperson will maintain order and direct the proceedings to a timely and just conclusion. All testimony at the hearing shall be given under oath administered by the Chairperson. The hearing shall be informal, and technical rules of evidence and court procedure shall not apply, except that irrelevant, immaterial or unduly repetitious material may be excluded at the discretion of the Chairperson. Evidence protected by the rules of privilege recognized by law may also be excluded. If requested by the employee, the hearing shall be a public hearing. A record of the hearing shall be made by electronic or other means.

The employee may self- represent or be represented by legal counsel or anyone else at the employee's own expense. The Department Director or Elected Official may self- represent or be represented by the County Attorney's Office in the case of terminations.

4.85 Witnesses:

Each party is responsible for ensuring that its witnesses attend the hearing. Neither the Commission Chairperson nor the Human Resources Director has the power to issue subpoenas or otherwise compel the attendance of witnesses. Neither party shall be permitted to interview or depose the other party's witnesses before the hearing.

The Commission Chairperson may exclude from the room any witness not at the time under examination. The employee, the Elected Official or Department Director and their representatives may not be excluded.

4.86 Continuance of Hearing:

The hearing may be continued at the request of either the employee or the Elected Official or Department Director. Requests to continue the hearing must be submitted to the Clerk of the Commission in writing at least five days before the hearing date. The

(4.86 cont.)

Clerk of the Commission shall notify all concerned parties of the continuance. Failure of the employee requesting the appeal to comply with these guidelines and failure to appear at the time and place of the hearing may result in dismissal of the appeal.

4.87 Withdrawal of an Appeal

The employee may submit a written notice of withdrawal of an appeal at anytime before the hearing. The notice of withdrawal shall be in writing and shall be submitted to the Commission Chairperson. Upon receipt, the Commission Chairperson shall cancel the hearing and notify all involved parties. A withdrawn appeal may not be refiled.

4.88 Settlement of an Appeal:

The employee and the Elected Official or Department Director may settle the appeal at any time before the Disciplinary Appeals Review Commission renders its decision. If the parties reach an agreement, it shall be put in writing and signed by the employee and the Elected Official or Department Director. The agreement will be final upon review and approval of the County Attorney and Human Resources Director. If a settlement is reached, the Human Resources Director shall immediately notify the Commission Chairperson so the hearing can be cancelled.

4.89 Disciplinary Appeals Review Commission's Decision

The Disciplinary Appeals Review Commission shall render its decision at the conclusion of the hearing by majority vote of the members present (including the Chairperson). Within ten days of the date of the hearing, the Commission shall issue its decision in writing and shall forward the written decision to the employee, the Elected Official or Department Director, the County Manager, the Human Resources Director and the Board of Supervisors. The decision of the Commission shall be final and shall be subject to administrative review as provided in ARS § 12-901.

4.9 DISCIPLINARY APPEALS REVIEW COMMISSION

4.91 Membership

- A. The Disciplinary Appeals Review Commission shall be comprised of five individuals appointed by the Board of Supervisors and selected from among qualified electors of the County.
- B. Commission members cannot be candidates for partisan elective office and no more than three members can be from the same political party. No more than one Commission member may be a County Officer or employee, to be selected from among the members of the Navajo County Personnel Commission by majority vote of the members of the Personnel Commission.
- C. Members of the Disciplinary Appeals Review Commission shall serve a term of four years and/or until a successor is appointed. Of the members first appointed, two shall serve for a two-year term, two for a three-year term and a four-year term. Members shall determine by lot the length of their terms.
- D. The Commission shall annually elect one of its members as Chairperson.
- E. The Clerk of the Board of Supervisors shall serve as the ex officio Clerk of the Commission.
- F. A Disciplinary Appeals Review Commission member may resign at any time, and a member may be removed at any time by a majority vote of the Board. Appointment to fill a vacancy caused by other than expiration of the term shall be for the unexpired portion of the term.

4.92 Powers and Duties of the Disciplinary Appeals Review Commission

The Disciplinary Appeals Review Commission shall conduct hearings on appeals of suspensions without pay, demotions and terminations that are filed by regular status classified employees. Disciplinary Appeals Review Commission decisions to modify or overturn disciplinary actions shall be based on a determination that the action taken against an employee was made in an arbitrary and/or capricious manner.

4.93 Disciplinary Appeals Review Commission Hearings

Disciplinary Appeals Review Commission hearings shall be closed unless the employee requests an open hearing as provided by ARS § 11-356. The Chairperson shall direct the hearings in accordance with the procedures and standards herein. Three members shall constitute a quorum for the transaction of business.

SECTION 5: HEALTH AND SAFETY

- 5.1 County Employee Drivers License Policy
- 5.2 Drug Free Workplace and Substance Abuse Prevention
- 5.3 Controlled Substance Testing Procedures
- 5.4 Health and Safety Programs and Policies

5.1 COUNTY EMPLOYEE DRIVERS LICENSE POLICY

5.11 Commercial Drivers License Policy:

County employees who operate commercial vehicles as part of their employment with the County shall:

- A. Have the proper license for the type of commercial vehicle to be driven as described in A.R.S. § 28-3221 at seq.
- B. Have only one driver's license as required by A.R.S. § 28-3226.
- C. Meet all notification requirements of A.R.S. § 28-3227. Specifically, the employee shall:
 - 1. notify the department of transportation of all-out-of state traffic law violation convictions, except parking violations, within thirty days of the date of conviction;
 - 2. notify Navajo County of all traffic law violation convictions, except parking violations, in writing within ten (10) days of the date of conviction;
 - 3. notify Navajo County of any suspension, revocation, cancellation, loss of privilege or disqualification to drive a commercial vehicle before the end of the business day following the day the employee receives notice of that fact;
 - 4. at the time of application for employment provide the information required by A.R.S. § 28-3227(D) for the 10 years preceding the application.
- D. In addition to the above requirements, employees who are to operate commercial vehicles must provide the following information in their employment application submitted to Navajo County as required by 49 C.F.R. § 391.21:
 - 1. the name and address of the employing motor carrier;
 - 2. the applicant's name, address, date of birth, and social security number;
 - 3. the addresses at which the applicant has resided during the three years preceding the date on which the application is submitted;
 - 4. the date on which the application is submitted;
 - 5. the issuing state, number, and expiration date of each unexpired commercial motor vehicle operator's license or permit that has been issued to the applicant;
 - 6. the nature and extent of the applicant's experience in the operation of motor vehicles, including the type of equipment which he/she operated;
 - 7. a list of all motor vehicle accidents in which the applicant was involved during the three years preceding the date the application is submitted, specifying the date and nature of each accident and any fatalities or personal injuries caused;

(5.11 Cont.)

8. a list of all violations of motor vehicle laws or ordinances (other than violations involving only parking) of which the applicant was convicted during the three years preceding the date the application was submitted;
 9. a statement setting forth in detail the facts and circumstances of any denial, revocation, or suspension of any license, permit, or privilege to operate a motor vehicle that has been issued to the applicant, or a statement that no such denial, revocation, or suspension has occurred;
 10. a list of the names and addresses of the applicant's employers during the last three years preceding the date the application is submitted, together with the dates he/she was employed, and his/her reason for leaving the employ of each employer;
 11. for those drivers applying to operate a commercial motor vehicle meeting the specifications outlined in 49 C.F.R. § 383.5, a list of names and addresses of the applicant's employers over the last ten years for which the applicant was an operator of a commercial motor vehicle, together with the dates of employment and the reasons for leaving such employment;
 12. a certification on the application that it was completed by the applicant and that all entries thereon are true and correct to the best of the applicant's knowledge and belief, along with a date and signature.
- E. Comply with all state and/or federal rules and regulations in relationship to medical standards and requirements.

Failure to comply with the above shall be cause for termination of employment.

5.12 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

5.13 Duties of County Regarding Commercial Drivers:

When the County employs an individual who will drive a commercial vehicle, the County shall make the following inquiries as required by 49 C.F.R. § 391.23:

- A. An inquiry into the driver's driving record during the preceding three years to the appropriate agency of every state in which the driver held a motor vehicle operator's license or permit during those three years. This inquiry must be made within 30 days from the date of hire. All responses to an inquiry must be retained by the County as a part of the driver's qualification file.
- B. An investigation into the driver's employment record during the preceding three years. This investigation must be made within 30 days from the date of hire. A written record must be made regarding all contacts made during the course of this investigation, including the date former employers were contacted, their

(5.13 cont.)

names and addresses, and any comments made with respect to the driver. These records shall be retained by the County as a part of the driver's qualification file.

- C. After hire, the County shall make, at least every 12 months, an inquiry into the driving record of each employee holding a commercial driver's license, to the appropriate agency of every state in which the driver held a commercial motor vehicle license or permit. After the inquiry, the County shall review the driving record to insure that each driver meets minimum requirements for safe driving or is disqualified from driving a commercial vehicle pursuant to 49 C.F.R. §§ 391.15 and 391.25.

5.14 Arizona Driver's License (Non-Commercial Drivers):

Any County employee who operates any motor vehicle in the course of employment with the County will be subject to termination of employment if he/she has:

- A. any alcohol-related convictions;
- B. three (3) moving citations (convictions) within a (5) five-year period;
- C. his/her driver's license suspended, revoked, canceled or refused.

5.15 ACCIDENT REVIEW BOARD (ARB)

A. Purpose

An Accident Review Board, may be convened from time to time to review circumstances surrounding any accident, abuse or incidents having a risk endangerment, for the purpose of making a preliminary assessment of cause, policy violations, equipment malfunction, and training needs. Accidents, which occurred while a County Vehicle/Equipment was not in motion, will not be subject to review by a Review Board, unless the stationary County Vehicle was parked in a location, which facilitated the County Vehicle being involved in the accident.

B. Review Board Membership

Each Review Board shall consist of five members appointed by the County Manager and Risk Manager, with consideration given to the specifics of each case. The Risk Manager will act as Chairman for the Board but will not sit as a voting member. Employees from any department may be selected to participate on a Board.

C. Review Board Procedures

A Review Board shall be convened by the County Manager and Risk Manager on an as needed basis, to review and verify the factual basis for any report concerning a vehicle/equipment accident. If the accident resulted in personal injury, a Review Board will generally meet within a week of the accident to review and verify the factual basis for any accident report. In the case of an accident involving serious personal injury or property damage in excess of \$5,000, a Review Board shall be convened only after consultation with the Arizona Counties Insurance Pool and the County Attorney.

A Review Board shall generally not conduct formal hearings, but shall review the accident report prepared by any law enforcement authority, together with the employee's response (if any), the Employer Incident Assessment, and any other documentation that may be provided, and prepare a summary report for the Supervising Authority and the County Manager identifying:

- (a) The cause of the accident or incident;
- (b) The parties involved;
- (c) If the County employee was: *
 - i) At fault, and the accident was preventable
 - ii) At fault, but the accident was not preventable
 - iii) Not at fault, but the accident was preventable
 - iv) Not at fault and the accident was not preventable
- * In some instances, the ARB may not be able to make a determination of fault or preventability of the accident.
- (d) Whether that fault amounted to a major infraction or a minor infraction
- (e) The nature of any physical injuries (if any) caused thereby, to the extent then known; and
- (f) An estimate of economic liability to which the county is exposed
- (g) Any policy violations
- (h) Any training concerns or recommendations
- (i) Any recommended policy changes

The Review Board may call upon the individual(s) involved to appear before the Review Board to answer questions concerning the event. In addition, the Review Board may request a law enforcement accident investigator to appear to answer questions on a particular accident requiring an expert opinion. For any accident or damage to a County vehicle that the Review Board has made the determination that it was as a result of reckless vehicle conduct, the person responsible will be subject to disciplinary action under the Navajo County Personnel Policy 4.6 and the penalty recommendations outlined in Section 5.16 (B).

D. Confidentiality

The purpose of a Review Board is to assist Navajo County in taking appropriate remedial or disciplinary measures for the safety of County employees and the public. Due to the potential for litigation and liability arising out of the types of incidents that a Review Board will be reviewing, all Review Board reports, meeting notes and tapes,

(5.15 cont.)

individual members' notes, and related documents shall be deemed to be confidential and shall not be available for public inspection or copying until any litigation related to the incident has been finally concluded or the applicable statute of limitations has expired. At the conclusion of each Review Board investigation, all such documents and copies thereof shall be provided to the County Attorney for safekeeping.

5.16 RECOMMENDED MINIMUM PENALTIES – DRIVING SO AS TO ENDANGER

In reviewing any report concerning an incident of alleged endangerment involving a County vehicle or a private vehicle operated by a county employee on official business, the Appointing Authority shall determine (A) if the County employee was at fault; and (B) whether that fault amounted to a major infraction or a minor infraction, as defined below. Recommended minimum penalties shall be based upon the significance of the Infraction and the number of infractions that preceded it as reported to the Appointing Authority by the Accident Review Board. Any event involving multiple infractions is to be treated as a single violation of the most serious offense committed during that event.

A. Classes of Infractions

Minor infractions:

- Any civil moving violation of state traffic laws while in a County vehicle
- Improper use of equipment or vehicle (abuse) resulting in repairs under \$500
- Causing an accident involving vehicle damage under \$1,500 (no injuries)

Major infractions:

- Failure to report an accident
- Any criminal moving violation of state traffic laws
- Improper use of equipment or vehicle (abuse) resulting in repairs over \$500
- Causing an accident involving vehicle damage over \$1,500, or involving injury to the employee or to a third party
- Driving under the influence of alcohol or illegal drugs, or of a prescribed narcotic or over-the-counter medication that impairs ability to operate a vehicle, or is in violation of the Navajo County Drug Free Workplace and Testing Policy

B. Table of Recommended Minimum Penalties

The below recommendations notwithstanding, if the employee is at fault and the accident is preventable, and the employee's conduct constitutes gross negligence or reckless and willful indifference to life or property, more serious disciplinary action may be warranted, including and up to termination of employment. Multiple infractions or combinations of minor and major infractions should result in an appropriate adjustment in disciplinary action, which is at the discretion of the Appointing Authority with recommendation from the Accident Review Board. In general two minor violations are

(5.16 cont.)

equivalent to one major when considering the appropriate adjustment.

The Appointing Authority shall determine the appropriate disciplinary action for any violation of this policy. Below are recommendations for penalties to be used as guidelines for the Appointing Authority to use in making his or her determination:

Minor infractions:

- 1st offense – Oral counseling or written warning, depending on the severity of the minor infraction
- 2nd offense – Two-day suspension without pay if the infraction occurs within 24 months of first offense.
- 3rd offense – Three-day suspension without pay, plus imposition of two-day penalty previously imposed, for a total of five days suspension.
- 4th offense – Suspension of driving privileges and/or suspension or termination of employment (if employee is required to drive own vehicle, employee must amend insurance on that vehicle to include the county as a named insured)

Major infractions:

- 1st offense – Two-day suspension without pay.
- 2nd offense – Three-day suspension without pay, plus suspension for previously imposed two-day period, for a total of five days suspension if within 24 months of first offense & possible loss of driving privileges.
- 3rd offense – Suspension of driving privileges and/or suspension or termination of employment (if employee is required to drive his/her own vehicle, employee must amend insurance on that vehicle to include the County as a named insured)

C. Adjudication and appeal procedures

For any class of infraction there is a single presumptive penalty, but the Appointing Authority shall make the final determination of penalty imposed. If the Appointing Authority elects not to impose the recommended discipline, the Appointing Authority must state the reasons for the departure. Any decision to actually suspend an employee, revoke, or suspend driving privileges for any reason other than failure to possess a valid driver's license shall constitute a "disciplinary action" under the Navajo County Merit System Rules and shall be subject to the same notice, response and hearing procedures as are applicable to such actions.

Any penalties imposed notwithstanding, if in the judgment of the Fleet Management Director, Risk Manager or County Manager, there is a continuing risk of endangerment to the safety of others, the County or County property, the Fleet Director, Risk Manager

or County Manager may request that the Board of Supervisors suspend driving privileges to the employee.

5.17 RECORDS

The Risk Manager will be required to keep retrievable records to track the following:

- a. Accidents
- b. Accident Review Board findings
- c. Driving and Equipment Training and other driving-related loss prevention programs
- d. Vehicle Incident Reports with findings
- e. Vehicle monitor and tracking activities (GPS)
- f. Statistics to measure programs effectiveness

5.2 DRUG FREE WORKPLACE AND SUBSTANCE ABUSE PREVENTION

5.21 Policy:

Navajo County is committed to programs that promote safety in the workplace, employee health and well being and public confidence. Consistent with the spirit and intent of this commitment, Navajo County has a zero tolerance policy when it comes to the use, possession, or distribution of drugs on the job by employees. Employee substance abuse adversely affects job performance and employee morale, jeopardizes employee safety and undermines public confidence. The goal of this policy is to establish and maintain a safe workplace and a healthy and efficient workforce free from the effects of drug and alcohol abuse. Employees arrested, charged or indicted for a criminal drug offense will be suspended without pay immediately. Once the case has been resolved, the appropriate personnel action will be taken.

With respect to mandated drug and alcohol testing of CDL operators, the provisions of this policy affecting CDL operators complies with the Omnibus Transportation Employees Drug Testing Act of 1991 and in accordance with Title 49 Code of Federal Regulations, Parts 40, 382 and 391, Subpart H.

5.22 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

5.23 Employees Subject to Testing:

The post-accident and "reasonable suspicion" provisions of this policy shall apply to all County employees; additionally the positions noted below are designated as "safety sensitive" and shall be subject to the pre-employment and random testing of this policy.

1. Any position requiring a CDL License
2. Other safety sensitive positions as may be designated by the Board of Supervisors

5.24 Prohibitions:

- A. Employee abuse of alcohol or controlled substances compromises the safety of employees and the public it serves. Navajo County prohibits the manufacture, use, sale, distribution, presence in the body, and presence on County property of prohibited controlled substances and alcohol by all employees in the workplace and further prohibits:
 1. Alcohol concentration: No employee shall report for duty or remain on duty while having an alcohol concentration of 0.02 or greater. No supervisor having actual knowledge that an employee has an alcohol concentration of 0.02 or greater shall permit the employee to perform or continue to perform work assignments.

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2. Alcohol on-duty use: No employee shall use alcohol while performing work assignments. No supervisor having actual knowledge that an employee has used alcohol within the previous four hours shall permit an employee to perform or to continue to perform work assignments.
3. Alcohol pre-duty use: No employee shall perform work assignments within four hours after using alcohol. No supervisor having actual knowledge that the employee has used alcohol within four hours shall permit an employee to perform or continue to perform work assignments.
4. Use following an accident: No employee required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
5. Refusal to submit to a required alcohol or controlled substance test: No employee shall refuse to submit to a post-accident alcohol or controlled substances test, a random alcohol or controlled substances test, a reasonable suspicion of alcohol or controlled substances test, or a follow-up alcohol or controlled substances test. No supervisor shall permit an employee who refuses to submit to such tests to perform or continue to perform work assignments.

B. Controlled substances use:

1. No employee shall report for duty or remain on duty requiring performance of work assignments when the employee uses any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a vehicle or equipment.
2. No supervisor having actual knowledge that an employee has used a controlled substance shall permit the employee to perform or continue to perform work assignments.
3. An employee shall inform his supervisor of any therapeutic drug prescription that may adversely affect his work performance.

C. Controlled substances testing: No employee shall report for duty, remain on duty, or perform work assignments, if the employee tests positive for controlled substances. No supervisor having actual knowledge that an employee has tested positive for controlled substances shall permit the employee to return to duty.

5.25 Required Tests:

- A. "Safety sensitive" employees and prospective employees including CDL operators whose positions are designated as "safety sensitive" are subject to alcohol and controlled substances testing under the following circumstances:
 - 1. Pre-employment testing
 - 2. Post-accident testing
 - 3. Random testing
 - 4. Reasonable suspicion testing
- B. Non-safety sensitive employees who do not occupy designated safety sensitive positions are subject to alcohol and controlled substances testing under the following circumstances:
 - 1. Post-accident testing.
 - 2. Reasonable suspicion testing
- C. Controlled substance testing is conducted based on the analysis of a urine sample provided by the employee or potential employee. The controlled substances selected do not have a legitimate medical purpose and are widely abused. Tests for following controlled substances and their metabolites shall be performed: marijuana; cocaine; opiates; phencyclidine (PCP); and amphetamines.
- D. Alcohol testing shall be conducted by an evidential breath test (EBT). The EBT test identifies the concentration level of alcohol within the body.

5.26 Testing Procedures:

The procedures and supervisory responsibilities are defined for each required test as follows:

- A. Pre-employment testing: Following an offer of employment to a potential employee for any position identified as safety sensitive and prior to the first day of employment, the following shall take place:
 - 1. The potential employee shall be informed that employment is conditional pending results of a controlled substance test.
 - 2. The controlled substance test must result in a verified negative. A potential employee who fails a pre-employment drug screen shall not be hired.
 - 3. Required pre-employment controlled substances testing shall be coordinated by Risk Management.

(5.26 cont.)

4. In accordance with 49 CFR part 40.25, newly employed CDL operators must provide Risk Management with written consent to acquire his/her previous employer(s) information concerning participation in drug and alcohol testing.
 5. Risk Management must provide to the previous employers of the past two (2) years, a written authorization from the CDL operator for release of the required information. The release of this information may take the form of personal interviews, letters, or any other method that ensures confidentiality. Navajo County shall maintain a written, confidential record with respect to each past employer contacted.
 6. The potential employee may not be employed if the information obtained indicated the potential employee has tested positive for drugs, tested at or above 0.04 breath alcohol concentration, or refused to test unless it can be established that he/she has completed the return-to-duty requirements as set forth in 49CFR part 40 Subpart O.
 7. Under no circumstances shall a newly hired operator be allowed to perform safety sensitive duties for more than thirty days following date of hire without confirming the information required in paragraphs 4, 5 and 6 above.
- B. Post-accident testing: When any County employee is involved in an accident, the employee shall submit to drug and alcohol testing. The testing should be done immediately but no later than 32 hours after the accident.
1. Post-accident testing is required for:

Any accident involving human fatality or bodily injury requiring immediate medical treatment away from the scene. Any accident involving damage to a County vehicle (or a vehicle rented in the County's name). Any damage to a vehicle or property resulting from a statutory violation (speeding, reckless driving, etc) or failure of the operator to exhibit reasonable care.
Exceptions: Accidents to a standing or slow-moving vehicle, where the County operator is clearly not at fault.
 2. When a required drug or alcohol test has not been administered within the time frames below following the accident, the following actions shall be taken:

Time Elapsed	Action Required
2 Hours	If the employee has not submitted to an alcohol test at this time, the supervisor shall prepare a report stating the reason a test was not promptly administered. The

(5.26 cont.)

Time Elapsed

Action Required

report shall be forwarded to Risk Management for filing.

8 Hours

If the employee has not submitted to an alcohol test at this time, the County shall cease attempts to administer alcohol test, and the supervisor is to prepare a report as described above. The report shall be forwarded to Risk Management for filing.

32 Hours

If the employee has not submitted to a controlled substance test at this time, the County shall cease attempts to administer the test, and the supervisor is to prepare a report as described above. The report shall be forwarded to Risk Management for filing.

3. The following steps shall be followed by the supervisor in all post accident testing:

- a. All injuries shall be treated first.
- b. The employee and the supervisor shall cooperate with all law enforcement officers.
- c. The supervisor must contact Risk Management and other designated superiors prior to any action being taken.
- d. The supervisor will explain to the employee that testing is required to ensure that drugs or alcohol were not a contributing factor in the accident.

(1) If the employee refuses to submit to the required testing, the supervisor shall inform the employee that:

- (a) The refusal to submit to testing will be considered a failure of the testing requirement.
- (b) Continued refusal to submit to either drug or alcohol testing will result in the employee being placed on administrative suspension with pay pending a review of circumstances. Barring any extenuating circumstances, refusal of testing shall be considered grounds for dismissal.
- (c) The employee shall be offered transportation home to prevent additional safety and liability concerns associated with driving under the influence.

(5.26 cont.)

- (2). If the employee agrees to the testing, a supervisor will transport the employee to the designated testing facility collection site. The supervisor will remain at the collection site with the employee but shall not go into the examination room or sample collection room.
 - (a) If the employee refuses to cooperate with the testing process such refusal will be considered a failure of the test and the employee will be placed on administrative suspension with pay pending a review of circumstances. Barring any extenuating circumstances, refusal to cooperate shall be considered grounds for dismissal.
 - (b) The employee shall be offered transportation home to prevent additional safety and liability concerns associated with driving under the influence.
 - (3) After the sample collections are obtained, the supervisor shall contact Risk Management to determine if the employee should be allowed to return to duty or provided with transportation home.
- C. Random Testing: Risk Management shall conduct unannounced random selection for both the controlled substance and alcohol testing. A statistically verifiable computer-generated random selection process shall be used to select the appropriate percentage of employees, from each pool, to be tested. In addition, the County may also conduct a 100% test of all eligible individuals all at one time on an annual basis.
 - 1. Refusal to submit to either controlled substance testing or alcohol testing: If an employee refuses to submit to the required testing, the refusal shall be considered a failure of the testing requirement. The employee will be placed on administrative leave with pay, pending a review of circumstances. Barring any extenuating circumstances, refusal of testing shall be considered grounds for dismissal.
 - 2. Any selected employee who is absent from duty on the date designated for random testing will not be informed of the selection and will automatically be added to the following testing period.
 - 3. The testing will be evenly distributed throughout the year. Specimen collection will be done on different days of the week throughout the annual cycle.
 - 4. Sample collection for random drug testing and breath alcohol testing will be conducted at one or more designated and certified collection sites.

(5.26 cont.)

- D. Reasonable suspicion testing: Reasonable suspicion of drug or alcohol use by an employee may be established by observation or report of the employee's behavior, admission by the employee, evidence of conduct that shows impairment or shows physical signs of being under the influence. Upon determining that reasonable suspicion exists the employee shall be required to submit to drug and/or alcohol testing.
1. The decision to require testing for reasonable suspicion will be based upon objective observation by two or more supervisors or County officials, at least one of which has been trained to make such a determination. Once a determination has been made that there is reasonable suspicion to believe that the employee's behavior warrants testing, the following actions must be taken:
 - a. The supervisors and/or County officials must contact Risk Management or designee prior to any action being taken.
 - b. If there is agreement that testing is warranted, the supervisors, and/or County officials must inform the employee of their observation. This discussion **MUST TAKE PLACE IN A PRIVATE SETTING**. The supervisors and/or County officials are required to explain that they have reasonable suspicion to believe that this behavior warrants testing.
 2. Refusal to submit: If the employee refuses to submit to the required testing, the supervisors and/or County official will inform the employee that refusal to submit to testing shall be considered a failure of the testing requirement; and the employee will be placed on administrative leave with pay, pending a review of circumstances. Barring any extenuating circumstances, refusal of testing shall be considered grounds for dismissal. The employee shall be offered transportation home to prevent additional safety and liability concerns associated with driving under the influence.
 3. Agrees to submit: If the employee agrees to the testing, a supervisor will transport the employee to the designated testing facility collection site. The supervisor will remain at the collection site with the employee but shall not go into the examination room or sample collection room.
 - a. If the employee does not cooperate with the testing process, this action will be considered as a failure of the testing requirement, and the employee will be placed on administrative suspension, with pay, pending a review of circumstances. Barring any extenuating circumstances, refusal to cooperate shall be considered grounds for dismissal.

(5.26 cont.)

- b. The employee shall be offered transportation home to prevent additional safety and liability concerns associated with driving under the influence.
- 4. After the sample collection(s) are obtained, the employee shall be placed on administrative leave with pay pending the results.
 - a. The supervisor shall document, in writing, the events that led to the testing and the conversations and events that followed the request.
 - b. If the results of the testing are negative, the employee will be reinstated.
 - c. If the results of the testing are positive, the employee will be placed on suspension pending a review of the circumstances. Barring any extenuating circumstances, a positive controlled substance test shall be considered grounds for dismissal.

5.3 CONTROLLED SUBSTANCE TESTING PROCEDURES

5.31 Urine Sample Collection:

The County will contract with an approved laboratory to perform all urine sample collections. Collection site personnel shall collect ALL required samples in accordance with FHWA guidelines as outlined in 49 CFR Part 40.

- A. The collection of the specimen shall be accomplished in a private setting without observation unless direct observation is deemed necessary by collection site personnel.
 - 1. The collection rest room must be inspected before and after each collection.
 - 2. Collection site personnel are required to verify employee identification by requesting to see a valid driver's license or identification with a photograph.
 - 3. Employees shall be required to allow collection site personnel to inspect personal belongings that may have been brought to the site.
 - 4. Collection site personnel may ask the employee to remove any unnecessary outer garments (jackets, sweaters, coats, etc.) that might conceal items or substances that could be used to tamper with or adulterate the urine specimen.
 - 5. The employee will be allowed to take his/her wallet into the collection room with him/her.
- B. Consistent with federal guidelines, the "split sample" method of collection shall be used.
 - 1. The collection site person shall instruct the employee to provide at least 45 milliliters (ml) of urine under the split sample method into a single collection bottle.
 - 2. Once an adequate specimen has been collected and verified, the collection site person shall divide the specimen into two (2) bottles labeled "primary" and "split" specimen.
 - 3. The collection site person shall seal the samples, fill out the required "Chain of Custody" forms and forward the samples to the testing laboratory.
- C. Insufficient amount of urine: Upon receiving the specimen from the donor, the collection site technician shall determine if it has at least 30 milliliters of urine for the primary specimen bottle and an additional 15 milliliters of urine for the split specimen bottle. If the employee is unable to provide a sufficient quantity of urine:

(5.31 cont.)

1. The collection site technician shall instruct the employee to drink not more than 24 ounces of fluids and, after a period of up to two (2) hours, again attempt to provide a complete sample using a fresh collection container.
 2. The original insufficient specimen shall be discarded and the MRO notified.
 3. Failure to provide an adequate sample will be deemed a failed test unless the employee provides sufficient information to the MRO to determine an underlying health-related condition as the cause for the insufficient sample.
- D. Failure to comply with the collection site technician directions will be considered a failure of the testing requirements.
- E. Altered or substituted urine specimen. If the collection site person has reason to believe that an employee may have altered or substituted the urine specimen, Risk Management shall be immediately notified.
1. The employee may be subject to disciplinary action and will be placed on administrative leave with pay pending a review of circumstances.
 2. The employee shall be offered transportation home.
- F. Both bottles of the split sample (primary and split) provided by the employee shall be shipped in a single shipping container, together with the appropriate chain of custody forms, to the testing laboratory.
1. The testing laboratory shall log in the split specimen, with the split specimen bottle seal remaining intact. The laboratory shall store this sample in a secure location.
 2. If the result of the testing of the primary specimen is negative, the laboratory may discard the split specimen.
 3. If the result of the testing of the primary specimen is positive, the laboratory shall retain the split specimen in storage for sixty (60) days from the date on which the laboratory acquires it. Following the end of the sixty (60) day period, if not informed by the MRO that the employee has requested a test of the split specimen, the laboratory may discard the split specimen.
- G. Laboratory Testing Procedures: As specified by federal regulations, all urinalysis testing shall be conducted by a laboratory that meets the guidelines that have been established by the Department of Health Services (DHHS) in full compliance with 49 CFR Part 40.
- H. Medical Review Officer: The MRO is a licensed physician (MD or DO) selected by the County to review and evaluate the results of verified positive drug test results. The MRO shall have knowledge of substance abuse disorders and

(5.31 cont.)

appropriate medical training to interpret and evaluate test results, including the employee's medical history and any other relevant biomedical information.

1. The MRO shall report to Risk Management whether the test is verified positive or verified negative, and may report the drug(s) for which there was a positive test.
 - a. Employee notification of positive results: If the results of the drug testing are positive, the MRO shall make a determination that the testing process was accurate, and the employee's medical history will be reviewed.
 - (1) The MRO shall then contact the employee directly by telephone, on a confidential basis, to determine whether the employee wishes to discuss the test results and to provide an opportunity for the employee to explain why the test result was positive. Sometimes, a legitimate medical explanation for the results exists, including legally prescribed medication(s).
 - (a) If, after making reasonable efforts and documenting them, the MRO is unable to reach the employee directly, the MRO shall contact Risk Management who shall contact the employee's supervisor to direct the employee to contact the MRO.
 - (b) If, after making all reasonable efforts, the County is unable to contact the employee, the employee shall be deemed to have failed the test and shall be subject to immediate dismissal.
 - (2) Split specimen: In a verified positive test, the MRO shall notify the employee of the verified positive test. The employee has seventy-two (72) hours in which to request a test of the split specimen at the employee's own expense.

I. Test Results:

1. A verified positive drug test requires the removal of the employee from performing a safety-sensitive function without delay pending the results of the test of the split specimen. Therefore, upon notification by the MRO that the primary specimen results are positive, the employee will be placed on administrative leave with pay, pending the results of the test of the split specimen. If testing of the split specimen results in a negative finding, the employee shall be reinstated.
2. If the analysis of the split specimen results in a confirmed positive test as determined by the MRO, the MRO will then notify the County of the results. The County will then inform the employee that the drug test has

(5.31 cont.)

returned positive, and the employee will be dismissed from County employment.

3. Diluted Specimen: If the MRO reports that a positive drug test was diluted, the test result will be treated as a verified positive test. If the MRO reports that a negative test was diluted, the County will require retaking of the test only if the test was the result of a post-accident or reasonable suspicion examination.

5.32 Alcohol Testing Procedures:

- A. Alcohol testing may be conducted through the use of a certified breath alcohol technician (BAT) using an evidential breath testing device (EBT). Employees shall be tested for alcohol at locations that prevent unauthorized persons from seeing or hearing test results. The necessary equipment, personnel, and materials for breath testing shall be provided at the locations where testing is conducted.
- B. Exception: Post-accident or other unusual circumstances that require a test to be conducted at a location and do not fully meet the requirements. In such a case:
 1. Visual and aural privacy shall be provided to the employee to the greatest extent possible.
 2. This test may be conducted by law enforcement personnel. Risk Management shall acquire a copy of the alcohol testing results.
- C. Prior to and during an EBT: The BAT shall supervise only one employee's use of EBT testing device at a time. The BAT shall not leave the alcohol testing location while the testing procedure for a given employee is in progress
 1. Prior to the test the BAT shall instruct the employee step by step through the testing process:
 - a. The BAT will require the employee to provide positive identification (driver's license) if the BAT does not know the employee.
 - b. On request by the employee, the BAT shall provide identification to the employee.
 - c. The BAT shall explain the testing procedures to the employee.
 - d. An individually sealed mouthpiece shall be opened in view of the employee, and the BAT shall instruct the employee how to attach it to the EBT testing device.
 - e. The BAT shall instruct the employee to blow forcefully into the mouthpiece for at least six (6) seconds or until the EBT testing device indicates that an adequate amount of breath has been obtained.

(5.32 cont.)

- f. The screen test resulting in a breath alcohol concentration of less than 0.02 shall be determined to be negative.
 - g. The BAT shall show the employee the result of the EBT.
 - h. The BAT shall transmit the result of less than 0.02 to the County in a confidential manner.
- D. Confirmation Test: When the first screening test results in an alcohol concentration 0.02 or greater, a confirmation test shall be performed. The purpose of this requirement is to prevent any accumulation of mouth alcohol leading to an artificially high reading.
- E. Transmission of alcohol testing records: The BAT shall transmit all results to the County drug and alcohol program coordinator in a confidential manner. All communications concerning the alcohol testing results of employees shall be made solely to the designated County representative. Such transmission may be in writing, in person or by telephone or electronic means, but the BAT shall ensure immediate transmission to the County of results that require the County to prevent the employee from performing a safety-sensitive function(s). All test records shall be confidential and maintained in an area with controlled access.
- F. Refusal to test: If an employee refuses to cooperate with any part of the testing process he/she will be placed on administrative leave with pay pending a review of circumstances and will be offered a ride home. Barring any extenuating circumstances, the employee shall be terminated. The BAT shall immediately notify Risk Management or designee. The termination of testing will be considered a failure of the testing requirement, and the employee will be subject to dismissal when:
 - 1. The employee refuses to complete and sign the breath testing form.
 - 2. The employee refuses to provide breath or does not provide an adequate amount of breath.
 - 3. The employee refuses to cooperate with the testing process and prevents the completion of the test.
- G. Test results: An employee who is found to have an alcohol concentration of 0.02 or greater shall be placed on administrative leave with pay for a period of not less than 24 hours following administration of the alcohol test. The employee shall be offered transportation home. Barring any extenuating circumstances, the employee will be dismissed from County employment.

5.33 Maintenance of Records

- A. General Provisions: All records are confidential and shall be filed in an area with controlled access. Except as required by law or unless expressly authorized by the employee through the provision of a signed release, designated employee information that is contained in the records shall not be released.

(5.33 cont.)

B. Availability and disclosure of testing information:

1. Records of drug testing:

- a. Contracts with testing laboratories shall require that the laboratory maintain employee test records in confidence. The contracts shall provide that the laboratory shall disclose information related to a positive drug test of an employee to the employee, the employer, or the decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the employee and arising from a certified positive drug test.
- b. An employee who has been subjected to a controlled substances test conducted under this policy shall, upon written request, have access to any records relating to that employee's drug test, and to any records relating to the results of any relevant certification, review, or revocation of certification proceedings.
- c. The MRO shall not disclose to any third party medical information provided by the employee to the MRO as part of the testing verification process. The MRO may disclose such information to the County, a DOT agency, or other federal safety agency, or a physician responsible for determining the medical qualifications of the employee under applicable regulations.

2. Releasing records of alcohol testing:

- a. An employee subject to testing is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol, including any records pertaining to his/her alcohol test.
- b. Access to all facilities utilized in complying with the requirements of the regulations shall be made open to all regulatory authority.
- c. When requested by the Secretary of Transportation, any DOT agency with regulatory authority over the County, or a state agency with regulatory authority over the County, the County shall make available copies of all results of County CDL operator alcohol testing conducted under such requirement and/or authority, and any other information pertaining to the County's alcohol misuse prevention program. The information shall include name of the specific alcohol test, test results, records, and reports.
- d. When requested by the National Transportation Safety Board as part of an accident investigation, the County shall disclose information related to the County's administration of any CDL operator post-accident alcohol tests administered following the accident.
- e. The County shall make records available to a subsequent employer upon written request from a covered employee. Disclosure of

(5.33 cont.)

records to a subsequent employer without a written request from a covered employee is forbidden.

- f. The County may disclose information pertaining to a covered employee to that employee or to the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee, and arising from the results of an alcohol test administered under the requirement of the law, or from the County's determination that the employee engaged in conduct prohibited by a DOT agency regulation. Such information can be released to include, but not limited to, worker's compensation, unemployment compensation, or other proceedings relating to a benefit sought by the employee.
- g. The County shall release information regarding a designated employee's records as directed by a specific, written consent of the employee authorizing release of information to an identified person. Release of such information is permitted only in accordance with the terms of the employee's consent.

- C. Records retention: In the case of employees who fail to pass a drug and/or alcohol test, all collection, and test records shall be retained for five (5) years. Such records will only be retained for one (1) year for employees who pass the drug and/or alcohol test.
- D. Reporting: Navajo County Risk Management will maintain information as required and shall submit reports tracking CDL operator testing as required by federal regulations to the DOT.
- E. Reviewing records: An employee may request to review their substance abuse records per current County policy.
- F. Health Coverage: The County recognizes that substance abuse is a medical problem that can be treated. The current group health plan provides coverage for such treatment. Employees who voluntarily enter a drug treatment program will not be terminated solely for that reason.
- G. County Notification by Employee of Any Criminal Drug Statute Conviction: As a condition of employment, any employee convicted of a drug statute violation shall notify the Department Director/Elected Official within five (5) days of such conviction.
- H. Requirements of the County: Once the employee has given notification of conviction of a drug statute violation, the County shall:
 - 1. Notify any affected grant agencies of the employee's conviction within ten (10) days of the County's receiving notice.

(5.33 cont.)

2. Take appropriate personnel action against such an employee, up to and including termination of employment.
3. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.

5.4 HEALTH AND SAFETY PROGRAMS AND POLICIES

5.41 Policy:

Navajo County recognizes that maintaining a safe and healthy workplace is of paramount importance to all employees as well as the public. Department Directors, Elected Officials, supervisors and all employees are to comply with occupational safety and health standard and orders issued pursuant to the Arizona Division of Occupational Safety and Health (ADOSH) and the federal Occupational Health and Safety Act (OSHA).

5.42 Health and Safety programs and policies may include, but not be limited, to the following:

- GENERAL COUNTY SAFETY POLICY
- Employee Violence prevention program
- Code of safe practices
- Respiratory protection policy
- Confined spaces policy
- Lockout/tagout policy
- Electrical Maintenance Safety policy
- General and special safety training policy
- Driving safety/ Defensive driver training policy
- Forklift/industrial truck policy
- Personal protective equipment policy(PPE)
- Fall protection policy
- Hot work policy
- Hazcom & chemical labeling policy
- Tool use/inspection policy
- Electrical safety policy
- Hearing protection policy
- Lead/asbestos protection policy
- Blood borne pathogens policy
- Silicosis prevention policy
- First aid training and equipment policy
- Weather safety guidelines
- Compressed gasses policy
- Trenching & Shoring policy
- Ergonomics policy
- Work Zone Safety policy
- ADOSH/OSHA Inspection Policy
- Automotive Lift Safety policy
- Construction Code of Safe Practices
- Supervisory Safety Training policy

- 5.43** Safety policies may be changed or implemented at any time as regulations and/or work processes change.
- 5.44** Building Evacuation policies shall be developed and implemented by Emergency Services.

SECTION 6: TRAVEL

- 6.1 Introduction
- 6.2 Statutory Authority
- 6.3 Definitions
- 6.4 Travel Policy
- 6.5 Conferences & Meetings
- 6.6 Transportation
- 6.7 Lodging
- 6.8 Meals
- 6.9 Travel Authorization & Reconciliation
- 6.10 Maximum Travel Reimbursement Rates

6.1 Introduction

The Navajo County Travel Policy is to be used for all authorized County travel. Non-compliance with the Navajo County Travel Policy including the improper claim of expenses may result in appropriate disciplinary action up to and including termination.

The purpose of the Navajo County Travel Policy is to ensure:

- A. Compliance with State of Arizona Revised Statutes.
- B. Compliance with applicable sections of the U.S. Internal Revenue Code.
- C. Travel expenses incurred while conducting official business of Navajo County are appropriate and necessary.
- D. Reasonable accommodations and expense reimbursements are provided to Navajo County employees.
- E. Compliance with the County's formally adopted budget.

6.2 Statutory Authority

Arizona statutes allow for the reimbursement of travel expenses for state employees and officers under A.R.S. §38-621 thru §38-637. Navajo County generally follows the provisions of these statutes.

6.3 Definitions

- A. Authorized travel – Travel for official County business that has been budgeted and approved by the appropriate Elected Official, Department Director or the County Manager.
- B. Conference Designated Lodging - The hotel(s) where a conference, convention, seminar, training, affiliate or association meeting is being held as specified in the brochure. Accommodations at alternate hotels in the immediate vicinity of these functions may be considered as conference designated lodging when no vacancies exist at the recommended hotel(s).
- C. Duty Post - The place an officer or employee spends the largest portion of his regular working time or the place to which they return on completion of a special assignment. An employee who has more than one place of work on a regular basis is deemed to have multiple duty posts. In accordance with A.R.S §11-215 the duty post for members of the Board of Supervisors shall be their principal residence. The duty post for members of other boards, commissions, advisory committees and volunteers who are not employees of the County shall be their principal residence.
- D. Normal Work Day - The typical period of time an employee is at work.

(6.1 Cont.)

- E. Business Meal - A meal that is consumed while conducting official County business.
- F. Per Diem - The maximum daily allowance for meals and travel related expenses.
- G. Travel Status - An employee is considered to be on travel status when traveling on County business outside of Navajo County and more than fifty miles from their duty post or personal residence if closer to the destination.
- H. Local Mileage - Personal vehicle mileage that is eligible for reimbursement when an employee is not on travel status.
- I. Conference – Refers to conferences, conventions, seminars, trainings, and affiliate or association meetings.
- J. Volunteer - A person that is giving their time, assistance and expertise to the county without compensation.

6.4 Travel Policy

- A. All authorized travelers may claim expenses as provided in this policy.
- B. Maximum Mileage, Lodging and Meal Reimbursement rates are established by the Navajo County Board of Supervisors (see Section 6.10).
- C. The Elected Official, Department Director or their designee must authorize all employee travel. All out-of-State travel must have prior approval of the Elected Official or County Manager.
- D. A Navajo County purchasing card is the preferred method of payment for all authorized travel expenditures. If a traveler requires an advance or reimbursement only one check will be issued for each authorized travel.
- E. Each department is responsible for providing direction and information concerning travel to their personnel, subject to the limitations of the travel policy.
- F. The Elected Official or County Manager may authorize exceptions to the provisions of this travel policy for extraordinary circumstances. Such exceptions must be documented.

6.5 Conferences

- A. Registration expenses for conferences should be paid with a purchasing card in advance. When purchasing cards are not accepted a purchase order for the registration should be submitted early enough for routine processing through the accounts payable system.

(6.5 Cont.)

- B. Lodging at a conference hotel may be for an amount in excess of the Maximum Travel Reimbursement Rate if approved by the Elected Official or Department Director. If the conference hotel rate is more than 110% of the amount allowed under the Maximum Travel Reimbursement Rate prior approval of the Elected Official or County Manager is required.

6.6 Transportation

- A. Allowable expenses include common carrier fares, privately owned motor vehicle mileage, bridge and road tolls, necessary taxi, bus or streetcar fares, motor vehicle rental, and reasonable baggage handling expenses.
- B. The means of transportation should be the most economical and in the best interests of the County. Any portion of travel by an indirect route or for personal business is not an allowable expense. Excess travel time must be charged to annual leave.
- C. A valid Arizona driver's license is required if an employee is driving any motor vehicle while on County business. The employee must enter their driver's license number on the Employee Travel Form.
- D. County Vehicles
 - 1. County vehicles must be used for travel when possible. Elected Officials and Department Directors may approve the use of private vehicles when necessary. Local mileage may be approved for employees not on travel status to conduct county business if a county vehicle is not available.
 - 2. Out-of-state use of County-owned motor vehicles must be approved by the Elected Official or County Manager.
 - 3. County fuel and maintenance facilities should be used whenever possible. County purchasing cards may be used for the purchase of fuel, oil and minor repairs of County vehicles if necessary. Each department is responsible for the costs of operating their County-owned motor vehicles, including fuel, parking, maintenance and repairs.
- E. Privately-Owned Motor Vehicle
 - 1. Out-of-state travel using a privately owned motor vehicle may be allowed with approval by the Elected Official or County Manager. Mileage will be authorized at the lesser of either the mileage times the adopted mileage rate or air coach fare to the same destination plus applicable ground transportation costs. If a privately-owned vehicle for out-of-state travel is used for the convenience of the employee per diem should not exceed amounts allowed by the most efficient means of travel. Any additional time taken to drive a private vehicle out-of-state must be taken as annual leave.

(6.6 Cont.)

2. Mileage reimbursements may be authorized for in-state travel at the current mileage reimbursement rate (Section 6.10). Mileage can be calculated using actual odometer readings, official maps or internet mileage calculations. Documentation supporting mileage should be included with the Employee Travel Form.
3. Purchasing cards are not to be used to purchase fuel for privately owned vehicles.
4. Personal insurance is required for all employees operating a privately-owned vehicle on County business as required by ARS §28- 4135. If an employee does not carry motor vehicle liability they will be prohibited from using their privately-owned motor vehicle on County business.
5. Liability for an accident in a privately owned motor vehicle while on County business is covered by the employee's liability insurance policy. If the accident liability exceeds their personal liability coverage the County's insurance program may provide some coverage. The County will not reimburse an employee for any physical damage to a personal motor vehicle involved in an accident, regardless of fault.

F. Rented Motor Vehicles

1. Rented motor vehicles must be for the benefit of the County and not for the personal convenience of the employee. The Elected Official or Department Director is responsible for determining that a rented motor vehicle is the best option.
2. When an employee rents a motor vehicle on County business they are automatically insured for liability and physical damage losses. Therefore, rented motor vehicle insurance costs incurred by the traveler are not reimbursable.
3. Gasoline purchases should be made with a purchasing card.

G. Airlines

1. Allowable expenses for commercial air travel shall be limited to the lowest fare available. The cost may exceed the lowest fare if air travel at a higher cost results in a clear benefit to the County.
2. Flight insurance can only be purchased at the employee's expense.
3. Commuter flights from local areas to Phoenix are an acceptable mode of travel when such travel is prudent and reasonable. Commuter flights must be pre-approved by the Elected Official or Department Director.

H. Chartered Aircraft

1. Chartered aircraft travel is allowed provided a common carrier is not feasible or an alternate mode of travel is impractical.
2. Use of chartered aircraft must be pre-approved by the Elected Official or County Manager.

(6.6 Cont.)

3. Chartered air service may only be obtained from FAA licensed commercial flight operators.
- I. Privately Owned Aircraft - Requires prior Elected Official or County Manager approval. Mileage reimbursements are based on statute miles at adopted rates (see Section 6.10). Mileage should be determined using the most direct air route. Landing and parking fees are allowed except at the location where the aircraft is normally based.
- J. Railroads and Buses - Railroad or bus travel may be used when convenient or economical and their use will not involve excessive travel time.
- K. Local Transportation, Tolls and Parking - Taxi, bus, limousine and streetcar use is classified as local transportation and can be reimbursed. Other expenses such as tolls and parking are also reimbursable. Purchasing cards should be used where possible.
- L. County Liability Insurance
 1. County Administration has established programs to handle all claims for property damage, public liability and workers' compensation involving the County, its property and employees.
 2. Should an employee become involved in an accident that results in damage to County property, damage to property of others, bodily injury or some other form of damage to an individual or organization, the situation should be reported immediately by phone to administration. A full written report must be submitted to administration on the risk management incident form. Personal injury must be reported on the Workers Compensation form.
 3. In addition to the above information, the employee directly or indirectly involved in an accident, shall not talk about the accident to anyone other than the appropriate individual(s) within their department, administration or an attorney representing the County. Other than these people, no discussion should take place concerning the accident, nor should any reports be given to any other individuals.

6.7 Lodging

- A. In-County lodging will not be reimbursed unless (1) an emergency exists and lodging is approved by the Elected Official or Department Director or (2) lodging costs are associated with a conference being held in County and is more than 50 miles away from the employee's home.
- B. Out-of-County lodging may be authorized when the employee is in travel status and their work day is extended beyond 13 hours.

(6.7 Cont.)

- C. Lodging must be at a commercial establishment at the lowest available rate such as state government, corporate, commercial or internet special. Maximum allowable lodging rates are included in Section 6.10.
- D. Reimbursement for lodging shared with an individual not on County business (such as a spouse) will be at the single room rate.

6.8 Meals

- A. Eligibility for authorized meal expense reimbursement - Employees must be in authorized travel status to be eligible for meals. Authorized meal expense is limited to actual expense up to the daily per diem amount. Employees must be in travel status a minimum of five hours to be eligible for meal allowances.
- B. Travel Advances – Travel advances will be issued for per diem amounts only upon prior approval of the Elected Official or County Manager.
- C. Meals provided by Hotel, Meeting or Conference - No allowance will be authorized when meals are provided by the hotel or organization as a part of a conference or meeting.
- D. Meals provided while traveling without an overnight stay is taxable. Meals provided while on travel status with an overnight stay is not taxable.
 - 1. Breakfast – Is not allowed on the first day of travel unless approved in advance by the Elected Official or County Manager.
 - 2. Other Meals – Allowance of lunch and dinner on the first and last days of travel must be approved by the Elected Official or Department Director considering an employee's authorized hours of travel.
 - 3. Overnight Travel within Navajo County – If travel is authorized under Travel Policy Section 6.7(A) meals will be allowed.
 - 4. Emergency Meals - Under emergency circumstances meals or meal allowances may be provided by Navajo County with the approval of the Elected Official or County Manager.
 - 5. Business Meals - When required to conduct official County business prior approval of the Elected Official or County Manager must be obtained. Documentation to justify the validity of a business meal should include a list the names of the persons who attended the meeting and an agenda or statement as to the business purpose of the meeting.
 - 6. Volunteer Reimbursements - In accordance with A.R.S §11-251(49) the Planning & Zoning Commission, Board Of Adjustment, Workforce Investment Board and other boards comprised of volunteer members are authorized per diem at the dinner rate, regardless of the meeting time. Round trip mileage to a meeting from their personal residence is also allowed. See Section 6.10 for meal and mileage reimbursement rates.

(6.8 Cont.)

7. Tips – Reasonable tips may be allowed and are included in the maximum meal reimbursement rates (see 6.10(C)).

6.9 TRAVEL RECONCILIATION

- A. The Elected Official or Department Director or their designee should ensure:
 1. That all travel expenditures are within their adopted budget.
 2. The travel complies with the County Travel Policy and has been properly approved.
 3. Adequate travel documentation is maintained.
 - a. A commercial establishment's original purchase order, invoice and receipts as applicable are required for travel expenses including conference registrations, transportation, lodging, meals and other miscellaneous charges.
 - b. Copies of all registration forms, meeting schedules, brochures or agendas shall be submitted with the Travel Form.
 - c. Copies of purchase made with the County purchasing card can be included with the Travel Form. Original P-card receipts are retained with the monthly P-card reconciliation.
 4. The Employee Travel Form is properly completed and signed by the employee and department official.
 5. The original Employee Travel Form including supporting documentation is maintained by the department. An electronic copy of the Employee Travel Form and supporting documentation will be maintained on-line for audit and review purposes.
 6. When a travel reimbursement amount is due to an employee a copy of the Employee travel form will be submitted to Finance where the payment will be processed promptly through the County's accounts payable system.
 7. Amounts due to the County are repaid within a reasonable amount of time. If amounts are not repaid timely they may be withheld from the employee's bi-weekly payroll.

6.10 Maximum Travel Reimbursement Rates

- | | | |
|----|---|--------------------------------|
| A. | Personal vehicle mileage reimbursement: | 44.5 cents per mile |
| B. | Privately-owned aircraft | 99.5 cents per statute mile |
| C. | Meals | \$50 per day for all locations |
| | | • Breakfast \$10.00 |
| | | • Lunch \$15.00 |
| | | • Dinner \$25.00 |
| D. | Lodging | See Addendum A |

ADDENDUM A

In-State Lodging Rates

	Primary Destination	County	Begin	End	Lodging
Arizona	All cities not listed below	All counties not listed below			\$60
	Grand Canyon / Flagstaff	Coconino (Except The City Limits Of Sedona)	Oct 1	Oct 31	\$81
	Grand Canyon / Flagstaff	Coconino (Except The City Limits Of Sedona)	Nov 1	Feb 28	\$81
	Grand Canyon / Flagstaff	Coconino (Except The City Limits Of Sedona)	Mar 1	Sep 30	\$65
	Kayenta	Navajo			\$71
	Phoenix / Scottsdale	Maricopa	Oct 1	Dec 31	\$103
	Phoenix / Scottsdale	Maricopa	Jan 1	Mar 31	\$141
	Phoenix / Scottsdale	Maricopa	Apr 1	May 31	\$109
	Phoenix / Scottsdale	Maricopa	Jun 1	Aug 31	\$74
	Phoenix / Scottsdale	Maricopa	Sep 1	Sep 30	\$103
	Sedona	City of Sedona which falls within Yavapai and Coconino Counties	Oct 1	Feb 28	\$107
	Sedona	City of Sedona which falls within Yavapai and Coconino Counties	Mar 1	May 31	\$118
	Sedona	City of Sedona which falls within Yavapai and Coconino Counties	Jun1	Sep 30	\$107
	Sierra Vista	Cochise			\$66
	Tucson	Pima	Oct 1	Dec 31	\$83
	Tucson	Pima	Jan 1	Mar 31	\$119
	Tucson	Pima	Apr 1	Sep 30	\$83
	Yuma	Yuma			\$71

Out-of State Lodging Rates

State	Primary Destination	County	Begin	End	Lodging
Alabama	Birmingham	Jefferson and Shelby			\$80
	Gulf Shores	Baldwin	Oct 1	May 31	\$88
	Gulf Shores	Baldwin	Jun 1	Jul 31	\$107
	Gulf Shores	Baldwin	Aug 1	Sep 30	\$88
	Huntsville	Madison and Limestone			\$71
	Montgomery	Montgomery			\$73
Arkansas	Hot Springs	Garland			\$87
	Little Rock	Pulaski			\$76
California	Antioch / Brentwood / Concord / Lafayette / Martinez / Pleasant Hill / Richmond / San Ramon / Walnut Creek	Contra Costa			\$104
	Bakersfield / Delano (Naval Weapons Center and Ordinance Test Station) / China Lake	Kern			\$70
	Barstow / Ontario / Victorville	San Bernardino			\$87
	Benicia / Dixon / Fairfield /	Solano			\$87

	Vacaville / Vallejo				
	Brawley / Calexico / El Centro / Imperial	Imperial			\$75
	Chico / Orville	Butte			\$68
	Clearlake	Lake			\$65
	Death Valley	Inyo			\$76
	Fresno	Fresno			\$79
	Los Angeles	Los Angeles / Orange and Ventura, Edwards AFB			\$110
	Mammoth Lakes	Mono			\$101
	Mill Valley / San Rafael / Novato / Corte Madera / Sausalito / Tiburon / Larkspur	Marin			\$104
	Modesto	Stanislaus			\$79
	Monterey	Monterey			\$111
	Napa	Napa			\$129
	Oakhurst	Madera	Oct 1	Jan 31	\$64
	Oakhurst	Madera	Feb 1	Aug 31	\$75
	Oakhurst	Madera	Sep 1	Sep 30	\$64
	Oakhurst	Alameda			\$94
	Palm Springs	Riverside	Oct 1	Dec 31	\$105
	Palm Springs	Riverside	Jan 1	Apr 30	\$131
	Palm Springs	Riverside	May 1	Aug 31	\$88
	Palm Springs	Riverside	Sep 1	Sep 30	\$105
	Point Arena / Gualala	Mendocino			\$71
	Redding	Shasta			\$78
	Sacramento	Sacramento			\$103
	San Diego	San Diego			\$131
	San Francisco	San Francisco			\$140
	San Luis Obispo	San Luis Obispo			\$102
	Primary Destination	County	Begin	End	Lodging
California	San Mateo / Foster City / Belmont	San Mateo			\$98
	Santa Barbara	Santa Barbara	Oct 1	Jun 30	\$130
	Santa Barbara	Santa Barbara	Jul 1	Aug 31	\$101
	Santa Barbara	Santa Barbara	Sep 1	Sep 30	\$170
	Santa Cruz	Santa Cruz	Oct 1	May 31	\$108
	Santa Cruz	Santa Cruz	Jun 1	Aug 31	\$122
	Santa Cruz	Santa Cruz	Sep 1	Sep 30	\$101
	Santa Monica	City Limits of Santa Monica			\$170
	Santa Rosa	Sonoma			\$108
	South Lake Tahoe	El Dorado	Oct 1	Nov 30	\$122
	South Lake Tahoe	El Dorado	Dec 1	Mar 31	\$144
	South Lake Tahoe	El Dorado	Apr 1	Jun 30	\$106
	South Lake Tahoe	El Dorado	Jul 1	Sep 30	\$122
	Stockton	San Joaquin			\$75
	Sunnyvale / Palo Alto / San Jose	Santa Clara			\$110
	Tahoe City	Placer			\$98
	Truckee	Nevada			\$87
	Visalia / Lemoore	Tulare and Kings			\$70
	West Sacramento	Yolo			\$75
	Yosemite National Park	Mariposa	Oct 1	Mar 31	\$129
	Yosemite National Park	Mariposa	Apr 1	Aug 31	\$85
	Yosemite National Park	Mariposa	Sep 1	Sep 30	\$129

Colorado	Aspen	Pitkin	Oct 1	Nov 30	\$108
	Aspen	Pitkin	Dec 1	Apr 30	\$225
	Aspen	Pitkin	May 1	Aug 31	\$127
	Aspen	Pitkin	Sep 1	Sep 30	\$108
	Boulder / Broomfield	Boulder and Broomfield			\$93
	Colorado Springs	El Paso			\$80
	Cortez	Montezuma	Oct 1	May 31	\$70
	Cortez	Montezuma	Jun 1	Aug 31	\$86
	Cortez	Montezuma	Sep 1	Sep 30	\$70
	Crested Butte / Gunnison	Gunnison	Oct 1	Nov 30	\$84
	Crested Butte / Gunnison	Gunnison	Dec 1	Jan 31	\$240
	Crested Butte / Gunnison	Gunnison	Feb 1	Apr 30	\$222
	Crested Butte / Gunnison	Gunnison	May 1	Sep 30	\$84
	Denver / Aurora	Denver / Adams / Arapahoe / Jefferson Counties			\$127
	Douglas County	Douglas			\$84
	Durango	La Plata	Oct 1	May 31	\$81
	Durango	La Plata	Jun 1	Sep 30	\$106
	Fort Collins / Loveland	Larimer			\$80
	Glenwood Springs / Grand Junction	Garfield / Mesa			\$69
	Montrose	Montrose	Oct 1	May 31	\$64
	Montrose	Montrose	Jun 1	Sep 30	\$79
State	Primary Destination	County	Begin	End	Lodging
Colorado	Silverthorne / Breckenridge	Summit	Oct 1	Nov 30	\$92
	Silverthorne / Breckenridge	Summit	Dec 1	Apr 30	\$140
	Silverthorne / Breckenridge	Summit	May 1	Sep 30	\$92
	Steamboat Springs	Routt	Oct 1	Nov 30	\$95
	Steamboat Springs	Routt	Dec 1	Mar 31	\$169
	Steamboat Springs	Routt	Apr 1	Sep 30	\$95
	Telluride	San Miguel	Oct 1	Jan 31	\$150
	Telluride	San Miguel	Feb 1	Apr 30	\$192
	Telluride	San Miguel	May 1	Sep 30	\$119
	Vail	Eagle	Oct 1	Nov 30	\$127
	Vail	Eagle	Dec 1	Mar 31	\$301
	Vail	Eagle	Apr 1	Sep 30	\$127
Connecticut	Bridgeport / Danbury	Fairfield			\$113
	Cromwell / Old Saybrook	Middlesex			\$79
	Hartford	Hartford			\$99
	Lakeville / Salisbury	Litchfield			\$90
	New Haven	New Haven			\$89
	New London / Groton	New London			\$94
	Putnam / Danielson / Storrs / Mansfield	Windham / Tolland			\$71
Delaware	Dover	Kent	Oct 1	May 31	\$76
	Dover	Kent	Jun 1	Sep 30	\$86
	Lewes	Sussex	Oct 1	Jun 30	\$73
	Lewes	Sussex	Jul 1	Aug 31	\$106
	Lewes	Sussex	Sep 1	Sep 30	\$73
	Wilmington	New Castle			\$102
Florida	Altamonte Springs	Seminole			\$80
	Bradenton	Manatee	Oct 1	Jan 31	\$89
	Bradenton	Manatee	Feb 1	Mar 31	\$131

	Bradenton	Manatee	Apr 1	Sep 30	\$89
	Cocoa Beach	Brevard	Oct 1	Dec 31	\$93
	Cocoa Beach	Brevard	Jan 1	Mar 31	\$103
	Cocoa Beach	Brevard	Apr 1	Sep 30	\$93
	Daytona Beach	Volusia	Oct 1	Jan 31	\$83
	Daytona Beach	Volusia	Feb 1	Mar 31	\$138
	Daytona Beach	Volusia	Apr 1	Jul 31	\$91
	Daytona Beach	Volusia	Aug 1	Sep 30	\$83
	Fort Lauderdale	Broward	Oct 1	Dec 31	\$126
	Fort Lauderdale	Broward	Jan 1	Mar 31	\$172
	Fort Lauderdale	Broward	Apr 1	May 31	\$126
	Fort Lauderdale	Broward	Jun 1	Sep 30	\$94
	Fort Myers	Lee	Oct 1	Dec 31	\$81
	Fort Myers	Lee	Jan 1	Apr 30	\$127
	Fort Myers	Lee	May 1	Sep 30	\$81
	Fort Pierce	Saint Lucie	Oct 1	Jan 31	\$89
	Fort Pierce	Saint Lucie	Feb 1	Mar 31	\$129
	Fort Pierce	Saint Lucie	Apr 1	Sep 30	\$89
	Fort Walton Beach / De Funiak Springs	Okaloosa And Walton	Nov 1	Feb 28	\$80
State	Primary Destination	County	Begin	End	Lodging
Florida	Fort Walton Beach / De Funiak Springs	Okaloosa And Walton	Mar 1	May 31	\$128
	Fort Walton Beach / De Funiak Springs	Okaloosa And Walton	Jun 1	Jul 31	\$168
	Fort Walton Beach / De Funiak Springs	Okaloosa And Walton	Aug 1	Sep 30	\$109
	Gainesville	Alachua			\$79
	Gulf Breeze	Santa Rosa	Oct 1	Feb 28	\$87
	Gulf Breeze	Santa Rosa	Mar 1	Sep 30	\$103
	Jacksonville / Jacksonville Beach / Mayport Naval Station / Fernandina Beach / Atlantic Beach	Duval / City Of Jacksonville And Nassau			\$78
	Key West	Monroe	Oct 1	Nov 30	\$139
	Key West	Monroe	Dec 1	Jan 31	\$168
	Key West	Monroe	Feb 1	Mar 31	\$214
	Key West	Monroe	Apr 1	Sep 30	\$139
	Kissimmee	Osceola	Oct 1	Jun 30	\$75
	Kissimmee	Osceola	Jul 1	Aug 31	\$63
	Kissimmee	Osceola	Sep 1	Sep 30	\$75
	Lakeland	Polk			\$81
	Leesburg	Lake	Oct 1	Nov 30	\$67
	Leesburg	Lake	Dec 1	Mar 31	\$75
	Leesburg	Lake	Apr 1	Sep 30	\$67
	Miami	Miami-Dade	Oct 1	Dec 31	\$107
	Miami	Miami-Dade	Jan 1	Mar 31	\$157
	Miami	Miami-Dade	Apr 1	Sep 30	\$107
	Naples	Collier	Oct 1	Jan 31	\$110
	Naples	Collier	Feb 1	Mar 31	\$190
	Naples	Collier	Apr 1	Sep 30	\$110
	Ocala	Marion	Oct 1	Dec 31	\$77
	Ocala	Marion	Jan 1	Mar 31	\$92
	Ocala	Marion	Apr 1	Sep 30	\$77
	Orlando	Orange	Oct 1	Dec 31	\$89
	Orlando	Orange	Jan 1	Mar 31	\$114
	Orlando	Orange	Apr 1	Sep 30	\$89
	Palm Beach	Boca Raton / Delray	Oct 1	Jan 31	\$110

		Beach / Jupiter / Palm Beach Gardens / Palm Beach / Palm Beach Shores / Singer Island And West Palm Beach.			
	Palm Beach	Boca Raton / Delray Beach / Jupiter / Palm Beach Gardens / Palm Beach / Palm Beach Shores / Singer Island And West Palm Beach.	Feb 1	Mar 31	\$163
State	Primary Destination	County	Begin	End	Lodging
Florida	Palm Beach	Boca Raton / Delray Beach / Jupiter / Palm Beach Gardens / Palm Beach / Palm Beach Shores / Singer Island And West Palm Beach.	Apr 1	Sep 30	\$110
	Panama City	Bay	Oct 1	Feb 28	\$79
	Panama City	Bay	Mar 1	May 31	\$106
	Panama City	Bay	Jun 1	Jul 31	\$127
	Panama City	Bay	Aug 1	Sep 30	\$79
	Pensacola / Pensacola Beach	Escambia			\$94
	Punta Gorda	Charlotte	Oct 1	Jan 31	\$78
	Punta Gorda	Charlotte	Feb 1	Mar 31	\$110
	Punta Gorda	Charlotte	Apr 1	Sep 30	\$78
	Sarasota	Sarasota	Oct 1	Jan 31	\$88
	Sarasota	Sarasota	Feb 1	Mar 31	\$133
	Sarasota	Sarasota	Apr 1	Sep 30	\$88
	Sebring	Highlands			\$92
	St. Augustine	St. Johns	Oct 1	Jan 31	\$92
	St. Augustine	St. Johns	Feb 1	Mar 31	\$111
	St. Augustine	St. Johns	Apr 1	Sep 30	\$92
	Stuart	Martin	Oct 1	Oct 31	\$101
	Stuart	Martin	Nov 1	Jan 31	\$119
	Stuart	Martin	Feb 1	Mar 31	\$159
	Stuart	Martin	Apr 1	Sep 30	\$101
	Tallahassee	Leon			\$82
	Tampa / St. Petersburg	Pinellas And Hillsborough	Oct 1	Dec 31	\$88
	Tampa / St. Petersburg	Pinellas And Hillsborough	Jan 1	Mar 31	\$111
	Tampa / St. Petersburg	Pinellas And Hillsborough	Apr 1	Sep 30	\$88
	Vero Beach	Indian River	Oct 1	Jan 31	\$98
	Vero Beach	Indian River	Feb 1	Mar 31	\$131
	Vero Beach	Indian River	Apr 1	Sep 30	\$98
Georgia	Athens	Clarke			\$81
	Atlanta	Fulton / Dekalb And Cobb			\$124
	Augusta	Richmond			\$72

	Columbus	Muscogee			\$79
	Conyers	Rockdale			\$71
	Duluth / Norcross / Lawrenceville / Braselton	Gwinnett			\$72
	Jekyll Island / Brunswick	Glynn			\$100
	Savannah	Chatham			\$95
Idaho	Boise	Ada			\$79
	Coeur D'Alene	Kootenai	Oct 1	May 31	\$65
	Coeur D'Alene	Kootenai	Jun 1	Aug 31	\$95
	Coeur D'Alene	Kootenai	Sep 1	Sep 30	\$65
State	Primary Destination	County	Begin	End	Lodging
Idaho	Sun Valley / Ketchum	Blaine	Oct 1	Jun 30	\$71
	Sun Valley / Ketchum	Blaine	Jul 1	Aug 31	\$82
	Sun Valley / Ketchum	Blaine	Sep 1	Sep 30	\$71
	Twin Falls	Twin Falls			\$71
Illinois	Bolingbrook / Romeoville / Lemont / Lockport / Homer Glen / Mokena / New Lenox	Will			\$76
	Chicago	Cook And Lake	Oct 1	Nov 30	\$173
	Chicago	Cook And Lake	Dec 1	Apr 30	\$138
	Chicago	Cook And Lake	May 1	Jun 30	\$169
	Chicago	Cook And Lake	Jul 1	Aug 31	\$141
	Chicago	Cook And Lake	Sep 1	Sep 30	\$173
	Elgin / Aurora	City Of Elgin / Kane			\$80
	Oak Brook Terrace	Dupage			\$95
	Rockford	Winnebago			\$65
	Springfield	Sangamon			\$76
Indiana	Bloomington	Monroe			\$84
	Brownsburg / Plainfield	Hendricks			\$67
	Ft. Wayne	Allen			\$68
	Hammond / Munster / Merrillville	Lake			\$77
	Indianapolis / Carmel	Marion / Hamilton / Fort Benjamin Harrison Military Base			\$93
	Lafayette	Tippecanoe			\$75
	Michigan City	La Porte			\$75
	Nashville	Brown			\$66
	South Bend	St. Joseph			\$86
	Valparaiso / Burlington Beach	Porter			\$75
Iowa	Cedar Rapids	Linn			\$72
	Des Moines	Polk			\$74
Kansas	Fort Riley / Manhattan	Geary / Riley And Pottawatomie			\$67
	Kansas City / Overland Park	Wyandotte And Johnson			\$96
	Wichita	Sedgwick			\$75
Kentucky	Boone County	Boone			\$88
	Kenton County	Kenton			\$94
	Lexington	Fayette			\$84
	Louisville	Jefferson	Oct 1	May 31	\$94
	Louisville	Jefferson	Jun 1	Aug 31	\$85
	Louisville	Jefferson	Sep 1	Sep 30	\$94
Louisiana	Baton Rouge	East Baton Rouge Parish	Oct 1	Mar 31	\$94

	Baton Rouge	East Baton Rouge Parish	Apr 1	Jun 30	\$80
	Baton Rouge	East Baton Rouge Parish	Jul 1	Sep 30	\$94
	Covington / Slidell	St. Tammany Parish	Oct 1	Mar 31	\$95
	Covington / Slidell	St. Tammany Parish	Apr 1	Aug 31	\$70
	Covington / Slidell	St. Tammany Parish	Sep 1	Sep 30	\$95
State	Primary Destination	County	Begin	End	Lodging
Louisiana	Lake Charles	Calcasieu Parish			\$71
	New Orleans	Orleans / St. Bernard / Jefferson And Plaquemine Parishes	Oct 1	May 31	\$148
	New Orleans	Orleans / St. Bernard / Jefferson And Plaquemine Parishes	Jun 1	Sep 30	\$102
	Shreveport	Caddo And Bossier Parishes			\$66
Maine	Bar Harbor	Hancock	Oct 1	May 31	\$67
	Bar Harbor	Hancock	Jun 1	Sep 30	\$123
	Kennebunk / Kittery / Sanford	York	Oct 1	Oct 31	\$81
	Kennebunk / Kittery / Sanford	York	Nov 1	Jun 30	\$69
	Kennebunk / Kittery / Sanford	York	Jul 1	Aug 31	\$108
	Kennebunk / Kittery / Sanford	York	Sep 1	Sep 30	\$81
	Portland	Cumberland, Sagadahoc	Oct 1	Jun 30	\$82
	Portland	Cumberland, Sagadahoc	Jul 1	Sep 30	\$103
	Rockport	Knox	Oct 1	Jun 30	\$60
	Rockport	Knox	Jul 1	Aug 31	\$85
	Rockport	Knox	Sep 1	Sep 30	\$60
Maryland	Aberdeen / Bel Air / Belcamp / Edgewood	Harford			\$82
	Annapolis	Anne Arundel			\$116
	Baltimore City	Baltimore City			\$148
	Baltimore County	Baltimore			\$92
	Cambridge / St. Michaels	Dorchester And Talbot	Oct 1	Oct 31	\$135
	Cambridge / St. Michaels	Dorchester And Talbot	Nov 1	Apr 30	\$99
	Cambridge / St. Michaels	Dorchester And Talbot	May 1	Aug 31	\$146
	Cambridge / St. Michaels	Dorchester And Talbot	Sep 1	Sep 30	\$135
	Columbia	Howard			\$104
	Frederick	Frederick			\$85
	Hagerstown	Washington			\$65
	La Plata / Indian Head	Charles			\$70
	Lexington Park / Leonardtown / Lusby	St. Mary's And Calvert			\$82
	Ocean City	Worcester	Oct 1	May 31	\$74
	Ocean City	Worcester	Jun 1	Sep 30	\$159
	Washington DC Metro Area	Montgomery and Prince Georges	Oct 1	Nov 30	\$195
	Washington DC Metro	Montgomery and	Dec 1	May 31	\$188

	Area	Prince Georges			
State	Primary Destination	County	Begin	End	Lodging
Maryland	Washington DC Metro Area	Montgomery and Prince Georges	Jun 1	Aug 31	\$162
	Washington DC Metro Area	Montgomery and Prince Georges	Sep 1	Sep 30	\$195
Massachusetts	Andover	Essex			\$84
	Boston / Cambridge	Suffolk / City Of Cambridge	Oct 1	Oct 31	\$203
	Boston / Cambridge	Suffolk / City Of Cambridge	Nov 1	Aug 31	\$168
	Boston / Cambridge	Suffolk / City Of Cambridge	Sep 1	Sep 30	\$203
	Burlington / Woburn	Middlesex			\$104
	Falmouth	City Limits Of Falmouth	Oct 1	Jun 30	\$85
	Falmouth	City Limits Of Falmouth	Jul 1	Aug 31	\$128
	Falmouth	City Limits Of Falmouth	Sep 1	Sep 30	\$85
	Hyannis	Barnstable	Oct 1	Apr 30	\$80
	Hyannis	Barnstable	May 1	Jun 30	\$95
	Hyannis	Barnstable	Jul 1	Aug 31	\$124
	Hyannis	Barnstable	Sep 1	Sep 30	\$80
	Martha's Vineyard	Dukes	Oct 1	Oct 31	\$116
	Martha's Vineyard	Dukes	Nov 1	May 31	\$96
	Martha's Vineyard	Dukes	Jun 1	Aug 31	\$175
	Martha's Vineyard	Dukes	Sep 1	Sep 30	\$116
	Nantucket	Nantucket	Oct 1	Nov 30	\$154
	Nantucket	Nantucket	Dec 1	May 31	\$130
	Nantucket	Nantucket	Jun 1	Aug 31	\$224
	Nantucket	Nantucket	Sep 1	Sep 30	\$154
	Northampton	Hampshire			\$88
	Pittsfield	Berkshire	Oct 1	Jun 30	\$87
	Pittsfield	Berkshire	Jul 1	Aug 31	\$104
	Pittsfield	Berkshire	Sep 1	Sep 30	\$87
	Plymouth / Taunton / New Bedford	Plymouth / Bristol			\$91
	Quincy	Norfolk			\$111
	Springfield	Hampden			\$90
	Worcester	Worcester			\$87
Michigan	Ann Arbor	Washtenaw			\$86
	Benton Harbor / St. Joseph / Stevensville	Berrien			\$68
	Charlevoix	Charlevoix			\$71
	Detroit	Wayne			\$100
	East Lansing / Lansing	Ingham And Eaton			\$75
	Flint	Genessee			\$73
	Frankenmuth	Saginaw			\$67
	Grand Rapids	Kent			\$75
	Holland	Ottawa			\$72

	Kalamazoo / Battle Creek	Kalamazoo / Calhoun			\$75
	Mackinac Island	Mackinac	Oct 1	Jun 30	\$65
	Mackinac Island	Mackinac	Jul 1	Aug 31	\$88
	Mackinac Island	Mackinac	Sep 1	Sep 30	\$65
State	Primary Destination	County	Begin	End	Lodging
Michigan	Midland	Midland			\$85
	Mount Pleasant	Isabella			\$68
	Muskegon	Muskegon	Oct 1	May 31	\$64
	Muskegon	Muskegon	Jun 1	Aug 31	\$80
	Muskegon	Muskegon	Sep 1	Sep 30	\$64
	Ontonagon / Baraga / Houghton	Ontonagon / Baraga / Houghton			\$72
	Petoskey	Emmet	Oct 1	Jun 30	\$67
	Petoskey	Emmet	Jul 1	Aug 31	\$90
	Petoskey	Emmet	Sep 1	Sep 30	\$67
	Pontiac / Auburn Hills	Oakland			\$94
	Sault Ste Marie	Chippewa			\$62
	South Haven	Van Buren	Oct 1	May 31	\$63
	South Haven	Van Buren	Jun 1	Aug 31	\$85
	South Haven	Van Buren	Sep 1	Sep 30	\$63
	Traverse City And Leland	Grand Traverse And Leelanau	Oct 1	Jun 30	\$66
	Traverse City And Leland	Grand Traverse And Leelanau	Jul 1	Aug 31	\$103
	Traverse City And Leland	Grand Traverse And Leelanau	Sep 1	Sep 30	\$66
	Warren	Macomb			\$75
Minnesota	Coon Rapids / Ramsey	Anoka			\$72
	Duluth	St. Louis	Oct 1	May 31	\$71
	Duluth	St. Louis	Jun 1	Sep 30	\$87
	Eagan / Burnsville / Mendota Heights / Lakeville / Inver Grove Heights	Dakota			\$80
	Minneapolis / St. Paul	Hennepin And Ramsey			\$113
	Rochester	Olmstead			\$90
Mississippi	Gulfport / Biloxi	Harrison	Oct 1	Mar 31	\$94
	Gulfport / Biloxi	Harrison	Apr 1	Aug 31	\$63
	Gulfport / Biloxi	Harrison	Sep 1	Sep 30	\$94
	Robinsonville	Tunica			\$65
	Starkville	Oktibbeha			\$70
Missouri	Kansas City	Jackson / Clay /Cass And Platte			\$96
	Osage Beach / St. Robert / Ft. Leonardwood	Camden / Miller / Pulaski			\$70
	Springfield	Greene			\$70
	St. Louis	St. Louis / St. Louis City and St. Charles			\$103

Montana	Big Sky / West Yellowstone	Gallatin	Oct 1	Jun 30	\$73
	Big Sky / West Yellowstone	Gallatin	Jul 1	Aug 31	\$96
	Big Sky / West Yellowstone	Gallatin	Sep 1	Sep 30	\$73
	Butte	Silver Bow			\$65
	Helena	Lewis And Clark			\$67
State	Primary Destination	County	Begin	End	Lodging
Montana	Missoula / Polson / Kalispell	Missoula / Lake / Flathead	Oct 1	May 31	\$73
	Missoula / Polson / Kalispell	Missoula / Lake / Flathead	Jun 1	Aug 31	\$90
	Missoula / Polson / Kalispell	Missoula / Lake / Flathead	Sep 1	Sep 30	\$73
Nebraska	Omaha	Douglas			\$84
Nevada	Incline Village / Crystal Bay / Reno / Sparks	Washoe	Oct 1	May 31	\$101
	Incline Village / Crystal Bay / Reno / Sparks	Washoe	Jun 1	Aug 31	\$139
	Incline Village / Crystal Bay / Reno / Sparks	Washoe	Sep 1	Sep 30	\$101
	Las Vegas	Clark	Oct 1	Apr 30	\$114
	Las Vegas	Clark	May 1	Aug 31	\$100
	Las Vegas	Clark	Sep 1	Sep 30	\$114
	Stateline / Carson City	Douglas / Carson City Counties			\$83
New Hampshire	Concord	Merrimack	Oct 1	Oct 31	\$92
	Concord	Merrimack	Nov 1	May 31	\$72
	Concord	Merrimack	Jun 1	Sep 30	\$92
	Conway	Carroll	Oct 1	Feb 28	\$120
	Conway	Carroll	Mar 1	Jun 30	\$97
	Conway	Carroll	Jul 1	Aug 31	\$146
	Conway	Carroll	Sep 1	Sep 30	\$120
	Durham	Strafford			\$81
	Laconia	Belknap	Oct 1	Jun 30	\$81
	Laconia	Belknap	Jul 1	Aug 31	\$100
	Laconia	Belknap	Sep 1	Sep 30	\$81
	Lebanon / Lincoln / West Lebanon / Franconia / Hanover / Holderness / Sunapee / Waterville Valley / North Woodstock / Plymouth	Grafton And Sullivan			\$116
	Manchester	Hillsborough			\$90
	Portsmouth	Rockingham	Oct 1	Jun 30	\$93
	Portsmouth	Rockingham	Jul 1	Sep 30	\$121
New Jersey	Atlantic City / Ocean City / Cape May	Atlantic and Cape May	Oct 1	Oct 31	\$114

	Atlantic City / Ocean City / Cape May	Atlantic and Cape May	Nov 1	Apr 30	\$94
	Atlantic City / Ocean City / Cape May	Atlantic and Cape May	May 1	Sep 30	\$114
	Belle Mead	Somerset			\$125
	Cherry Hill / Moorestown	Camden And Burlington			\$82
	Eatontown / Freehold	Monmouth			\$106
	Edison / Piscataway	Middlesex			\$109
	Flemington	Hunterdon			\$100
	Newark	Essex / Bergen / Hudson And Passaic			\$116
State	Primary Destination	County	Begin	End	Lodging
New Jersey	Parsippany	Morris			\$121
	Princeton / Trenton	Mercer			\$133
	Springfield / Cranford / New Providence / Westfield / Clark / Summit / Linden	Union			\$98
	Tom's River	Ocean	Oct 1	May 31	\$79
	Tom's River	Ocean	Jun 1	Aug 31	\$102
	Tom's River	Ocean	Sep 1	Sep 30	\$79
New Mexico	Albuquerque	Bernalillo			\$70
	Los Alamos	Los Alamos			\$75
	Santa Fe	Santa Fe			\$83
	Taos	Taos			\$69
New York	Albany	Albany			\$103
	Binghamton / Owego	Broome And Tioga			\$79
	Buffalo	Erie			\$81
	Floral Park / Garden City / Glen Cove / Great Neck / Roslyn	Nassau			\$159
	Glens Falls	Warren	Oct 1	May 31	\$83
	Glens Falls	Warren	Jun 1	Aug 31	\$129
	Glens Falls	Warren	Sep 1	Sep 30	\$83
	Ithaca / Waterloo / Romulus	Tompkins And Seneca			\$90
	Kingston	Ulster			\$94
	Lake Placid	Essex	Oct 1	Dec 31	\$105
	Lake Placid	Essex	Jan 1	Jun 30	\$94
	Lake Placid	Essex	Jul 1	Aug 31	\$157
	Lake Placid	Essex	Sep 1	Sep 30	\$105
	Manhattan (Includes The Boroughs Of Manhattan / Brooklyn / The Bronx And Staten Island)	The Boroughs Of Manhattan / Brooklyn / The	Oct 1	Dec 31	\$274

		Bronx / Richmond County			
	Manhattan (Includes The Boroughs Of Manhattan / Brooklyn / The Bronx And Staten Island)	The Boroughs Of Manhattan / Brooklyn / The Bronx / Richmond County	Jan 1	Jun 30	\$214
	Manhattan (Includes The Boroughs Of Manhattan / Brooklyn / The Bronx And Staten Island)	The Boroughs Of Manhattan / Brooklyn / The Bronx / Richmond County	Jul 1	Aug 31	\$196
	Manhattan (Includes The Boroughs Of Manhattan / Brooklyn / The Bronx And Staten Island)	The Boroughs Of Manhattan / Brooklyn / The Bronx / Richmond County	Sep 1	Sep 30	\$274
	Niagara Falls	Niagara	Oct 1	May 31	\$63
	Niagara Falls	Niagara	Jun 1	Aug 31	\$93
	Niagara Falls	Niagara	Sep 1	Sep 30	\$63
	Nyack / Palisades	Rockland			\$105
	Poughkeepsie	Dutchess			\$103
State	Primary Destination	County	Begin	End	Lodging
New York	Queens	Queens	Oct 1	Dec 31	\$177
	Queens	Queens	Jan 1	Apr 30	\$152
	Queens	Queens	May 1	Jun 30	\$163
	Queens	Queens	Jul 1	Aug 31	\$153
	Queens	Queens	Sep 1	Sep 30	\$177
	Riverhead / Ronkonkoma / Melville / Smithtown / Huntington Station / Amagansett / East Hampton / Montauk / Southampton / Islandia / Commack / Medford / Stony Brook / Hauppauge / Centereach	Suffolk			\$128
	Rochester	Monroe			\$87
	Saratoga Springs / Schenectady	Saratoga And Schenectady	Oct 1	Jun 30	\$99
	Saratoga Springs / Schenectady	Saratoga And	Jul 1	Aug 31	\$160

		Schenectady			
	Saratoga Springs / Schenectady	Saratoga And Schenectady	Sep 1	Sep 30	\$99
	Syracuse	Onondaga			\$82
	Tarrytown / White Plains / New Rochelle / Yonkers	Westchester			\$137
	Troy	Rensselaer			\$83
	West Point	Orange			\$98
North Carolina	Asheville	Buncombe	Oct 1	Oct 31	\$82
	Asheville	Buncombe	Nov 1	Jun 30	\$71
	Asheville	Buncombe	Jul 1	Sep 30	\$82
	Atlantic Beach / Morehead City	Carteret	Oct 1	May 31	\$67
	Atlantic Beach / Morehead City	Carteret	Jun 1	Aug 31	\$96
	Atlantic Beach / Morehead City	Carteret	Sep 1	Sep 30	\$67
	Chapel Hill	Orange			\$80
	Charlotte	Mecklenburg			\$78
	Durham	Durham			\$88
	Greensboro	Guilford	Oct 1	Apr 30	\$90
	Greensboro	Guilford	May 1	Sep 30	\$78
	Greenville	Pitt			\$68
	Kill Devil	Dare	Oct 1	Dec 31	\$60
	Kill Devil	Dare	Jan 1	Sep 30	\$91
	New Bern / Havelock	Craven			\$76
	Raleigh	Wake			\$80
	Shalotte / Southport / Whiteville	Brunswick And Columbus			\$65
North Carolina	Wilmington	New Hanover			\$81
	Winston-Salem	Forsyth			\$78
Ohio	Akron	Summit			\$78
	Canton	Stark			\$73
	Cincinnati	Hamilton And Clermont			\$86
	Cleveland	Cuyahoga			\$98
State	Primary Destination	County	Begin	End	Lodging
Ohio	Columbus	Franklin			\$93
	Dayton / Fairborn	Greene / Darke And Montgomery			\$80
	Hamilton	Butler And Warren			\$82
	Mentor	Lake			\$80
	Port Clinton	Ottawa	Oct 1	Jun 30	\$60
	Port Clinton	Ottawa	Jul 1	Aug 31	\$87
	Port Clinton	Ottawa	Sep 1	Sep 30	\$60
	Rittman	Wayne And Medina			\$72
	Sandusky / Bellevue	Erie And Huron			\$91
	Toledo	Lucas			\$73
	Youngstown	Mahoning And Trumbull			\$75
Oklahoma	Oklahoma City	Oklahoma			\$73

	Tulsa	Tulsa / Creek / Osage / And Rogers			\$68
Oregon	Ashland / Crater	Lake Jackson / Klamath			\$74
	Beaverton	Washington			\$79
	Bend	Deschutes			\$75
	Clackamas	Clackamas			\$72
	Eugene / Florence	Lane			\$84
	Lincoln City	Lincoln	Oct 1	Jun 30	\$76
	Lincoln City	Lincoln	Jul 1	Aug 31	\$100
	Lincoln City	Lincoln	Sep 1	Sep 30	\$76
	Portland	Multnomah			\$98
	Seaside	Clatsop	Oct 1	Jun 30	\$77
	Seaside	Clatsop	Jul 1	Aug 31	\$111
	Seaside	Clatsop	Sep 1	Sep 30	\$77
Pennsylvania	Allentown / Easton / Bethlehem	Lehigh And Northampton			\$80
	Bucks County	Bucks			\$95
	Chambersburg	Franklin			\$66
	Chester / Radnor / Essington	Delaware			\$88
	Erie	Erie			\$79
	Gettysburg	Adams	Oct 1	Oct 31	\$101
	Gettysburg	Adams	Nov 1	Mar 31	\$72
	Gettysburg	Adams	Apr 1	Sep 30	\$101
	Harrisburg	Daupin			\$85
	Hershey	City Of Hershey	Oct 1	Feb 28	\$82
	Hershey	City Of Hershey	Mar 1	May 31	\$88
	Hershey	City Of Hershey	Jun 1	Sep 30	\$139
	Lancaster	Lancaster			\$83
	Malvern / Frazer / Berwyn / Phoenixville	Chester			\$106
	Mechanicsburg	Cumberland			\$75
	Montgomery County	Montgomery			\$114
	Philadelphia	Philadelphia			\$138
	Pittsburgh	Allegheny			\$100
	Reading	Berks			\$78
	Scranton	Lackawanna			\$71
	State College	Centre			\$76
State	Primary Destination	County	Begin	End	Lodging
Rhode Island	East Greenwich / Warwick / North Kingstown	Kent And Washington			\$99
	Jamestown / Middletown / Newport	Newport	Oct 1	Nov 30	\$137
	Jamestown / Middletown / Newport	Newport	Dec 1	Feb 28	\$83
	Jamestown / Middletown / Newport	Newport	Mar 1	Sep 30	\$137
	Providence	Providence			\$144
South Carolina	Aiken	Aiken			\$70
	Charleston	Charleston / Berkeley And Dorchester			\$92
	Columbia	Richland			\$75
	Greenville	Greenville			\$75

	Hilton Head	Beaufort	Oct 1	Oct 31	\$120
	Hilton Head	Beaufort	Nov 1	Feb 28	\$80
	Hilton Head	Beaufort	Mar 1	Sep 30	\$120
	Myrtle Beach	Horry	Oct 1	Feb 28	\$67
	Myrtle Beach	Horry	Mar 1	May 31	\$82
	Myrtle Beach	Horry	Jun 1	Aug 31	\$118
	Myrtle Beach	Horry	Sep 1	Sep 30	\$67
South Dakota	Hot Springs	Fall River And Custer	Oct 1	May 31	\$61
	Hot Springs	Fall River And Custer	Jun 1	Aug 31	\$89
	Hot Springs	Fall River And Custer	Sep 1	Sep 30	\$61
	Rapid City	Pennington	Oct 1	May 31	\$63
	Rapid City	Pennington	Jun 1	Aug 31	\$106
	Rapid City	Pennington	Sep 1	Sep 30	\$63
	Sturgis / Spearfish	Meade / Butte And Lawrence	Oct 1	Apr 30	\$60
	Sturgis / Spearfish	Meade / Butte And Lawrence	May 1	Aug 31	\$88
	Sturgis / Spearfish	Meade / Butte And Lawrence	Sep 1	Sep 30	\$60
Tennessee	Brentwood / Franklin	Williamson			\$82
	Chattanooga	Hamilton			\$81
	Gatlinburg / Townsend	Sevier And Blount			\$67
	Knoxville	Knox			\$74
	Memphis	Shelby			\$83
	Nashville	Davidson			\$99
	Oak Ridge	Anderson			\$72
Texas	Arlington / Fort Worth / Grapevine	Tarrant County And City Limits Of Grapevine			\$120
	Austin	Travis			\$85
	College Station	Brazos			\$73
	Corpus Christi	Nueces			\$78
	Dallas	Dallas County And City Of Dallas	Oct 1	Dec 31	\$100
	Dallas	Dallas County And City Of Dallas	Jan 1	Apr 30	\$111
	Dallas	Dallas County And City Of Dallas	May 1	Sep 30	\$100
State	Primary Destination	County	Begin	End	Lodging
Texas	El Paso	El Paso			\$76
	Galveston	Galveston			\$96
	Houston (L.B. Johnson Space Center)	Montgomery / Fort Bend And Harris			\$95
	Hunt County	Hunt County			\$64
	Killeen	Bell			\$65
	Laredo	Webb			\$88

	McAllen	Hidalgo			\$75
	Plano	Collin			\$81
	Round Rock	Williamson			\$78
	San Antonio	Bexar			\$103
	South Padre Island	Cameron	Oct 1	Feb 28	\$71
	South Padre Island	Cameron	Mar 1	Aug 31	\$96
	South Padre Island	Cameron	Sep 1	Sep 30	\$71
	Waco	McLennan			\$76
Utah	Ogden	Weber			\$61
	Park City	Summit	Oct 1	Nov 30	\$68
	Park City	Summit	Dec 1	Mar 31	\$135
	Park City	Summit	Apr 1	Sep 30	\$68
	Provo	Utah			\$69
	Salt Lake City	Salt Lake And Tooele			\$90
Vermont	Burlington / St. Albans	Chittenden And Franklin	Oct 1	Oct 31	\$95
	Burlington / St. Albans	Chittenden And Franklin	Nov 1	Apr 30	\$81
	Burlington / St. Albans	Chittenden And Franklin	May 1	Sep 30	\$95
	Manchester	Bennington			\$79
	Montpelier	Washington			\$88
	Stowe	Lamoille	Oct 1	Nov 30	\$108
	Stowe	Lamoille	Dec 1	Feb 28	\$125
	Stowe	Lamoille	Mar 1	Sep 30	\$108
	White River Junction	Windsor	Oct 1	Feb 28	\$89
	White River Junction	Windsor	Mar 1	Aug 31	\$78
	White River Junction	Windsor	Sep 1	Sep 30	\$89
Virginia	Charlottesville	City Of Charlottesville			\$87
	Chesapeake / Suffolk	Cities of Chesapeake and Suffolk	Oct 1	Mar 31	\$74
	Chesapeake / Suffolk	Cities of Chesapeake and Suffolk	Apr 1	Aug 31	\$99
	Chesapeake / Suffolk	Cities of Chesapeake and Suffolk	Sep 1	Sep 30	\$74
	Chesterfield / Henrico Counties	Chesterfield / Henrico			\$81
Virginia	Hampton City / Newport News	Cities of Hampton City and Newport News	Oct 1	Mar 31	\$73
	Hampton City / Newport News	Cities of Hampton City and Newport News	Apr 1	Jun 30	\$88
	Hampton City / Newport News	Cities of Hampton City and Newport News	Jul 1	Sep 30	\$73
	James City and York Counties, Williamsburg	James City and York Counties, City of Williamsburg	Oct 1	Mar 31	\$70
	James City and York Counties, Williamsburg	James City and York Counties, City of Williamsburg	Apr 1	Aug 31	\$89
State	Primary Destination	County	Begin	End	Lodging
Virginia	James City and York Counties, Williamsburg	James City and York Counties, City of Williamsburg	Sep 1	Sep 30	\$70
	Loudoun County	Loudoun			\$131
	Lynchburg	Campbell / Lynchburg City			\$68
	Manassas	City of Manassas			\$87
	Norfolk / Portsmouth	Cities of Norfolk and Portsmouth	Oct 1	Oct 31	\$94

	Norfolk / Portsmouth	Cities of Norfolk and Portsmouth	Nov 1	Mar 31	\$77
	Norfolk / Portsmouth	Cities of Norfolk and Portsmouth	Apr 1	Sep 30	\$94
	Richmond City	City of Richmond			\$102
	Roanoke	City Limits Of Roanoke			\$76
	Spotsylvania County / City Of Fredericksburg	Spotsylvania			\$63
	Stafford / Prince William	Stafford / Prince			\$80
	Virginia Beach County	Virginia Beach	Oct 1	Mar 31	\$68
	Virginia Beach County	Virginia Beach	Apr 1	May 31	\$83
	Virginia Beach County	Virginia Beach	Jun 1	Aug 31	\$129
	Virginia Beach County	Virginia Beach	Sep 1	Sep 30	\$68
	Wallops Island	Accomack	Oct 1	Jun 30	\$78
	Wallops Island	Accomack	Jul 1	Aug 31	\$111
	Wallops Island	Accomack	Sep 1	Sep 30	\$78
	Warrenton	Fauquier			\$73
	Washington DC Metro Area	Cities of Alexandria, Fairfax and Falls Church; Arlington and Fairfax	Oct 1	Nov 30	\$195
	Washington DC Metro Area	Cities of Alexandria, Fairfax and Falls Church; Arlington and Fairfax	Dec 1	May 31	\$188
	Washington DC Metro Area	Cities of Alexandria, Fairfax and Falls Church; Arlington and Fairfax	Jun 1	Aug 31	\$162
	Washington DC Metro Area	Cities of Alexandria, Fairfax and Falls Church; Arlington and Fairfax	Sep 1	Sep 30	\$195
Washington	Anacortes / Camano Island / Coupeville / Mount Vernon / La Conner / Burlington / Friday Harbor	Skagit / Island / San Juan			\$74
	Bremerton	Kitsap			\$74
	Everett / Lynnwood	Snohomish			\$81
	Ocean Shores	Grays Harbor			\$82
	Olympia / Tumwater	Thurston			\$76
	Port Angeles / Port Townsend	Clallam And Jefferson	Oct 1	Jun 30	\$81
State	Primary Destination	County	Begin	End	Lodging
Washington	Port Angeles / Port Townsend	Clallam And Jefferson	Jul 1	Aug 31	\$114
	Port Angeles / Port Townsend	Clallam And Jefferson	Sep 1	Sep 30	\$81
	Seattle	King			\$136
	Spokane	Spokane			\$70
	Tacoma	Pierce			\$96
	Vancouver	Clark / Cowlitz And Skamania			\$101
Washington DC	District Of Columbia	Washington DC (Also The Cities Of Alexandria / Falls Church And Fairfax / And The Counties Of Arlington And	Oct 1	Nov 30	\$195

		Fairfax / In Virginia; And The Counties Of Montgomery And Prince George's In Maryland) (See Also Maryland And Virginia)			
	District Of Columbia	Washington DC (Also The Cities Of Alexandria / Falls Church And Fairfax / And The Counties Of Arlington And Fairfax / In Virginia; And The Counties Of Montgomery And Prince George's In Maryland) (See Also Maryland And Virginia)	Dec 1	May 31	\$188
	District Of Columbia	Washington DC (Also The Cities Of Alexandria / Falls Church And Fairfax / And The Counties Of Arlington And Fairfax / In Virginia; And The Counties Of Montgomery And Prince George's In Maryland) (See Also Maryland And Virginia)	Jun 1	Aug 31	\$162
State	Primary Destination	County	Begin	End	Lodging
Washington DC	District Of Columbia	Washington DC (Also The Cities Of Alexandria / Falls Church And Fairfax / And The Counties Of Arlington And Fairfax / In Virginia; And The Counties Of Montgomery And Prince George's In Maryland) (See Also Maryland And Virginia)	Sep 1	Sep 30	\$195
West Virginia	Charleston	Kanawha			\$87
	Huntington / Barboursville	Cabell / Wayne			\$61
	Morgantown	Monongalia			\$76
	Shepherdstown	Jefferson			\$69
	Wheeling	Ohio			\$71
Wisconsin	Appleton	City Of Appleton			\$75

	Brookfield / Racine	Waukesha / Racine			\$77
	Green Bay	Brown			\$71
	Lake Geneva	Walworth	Oct 1	Oct 31	\$120
	Lake Geneva	Walworth	Nov 1	Apr 30	\$91
	Lake Geneva	Walworth	May 1	Sep 30	\$120
	Madison	Dane			\$84
	Milwaukee	Milwaukee			\$87
	Sheboygan	Sheboygan	Oct 1	Jun 30	\$68
	Sheboygan	Sheboygan	Jul 1	Aug 31	\$77
	Sheboygan	Sheboygan	Sep 1	Sep 30	\$68
	Sturgeon Bay	Door	Oct 1	Oct 31	\$74
	Sturgeon Bay	Door	Nov 1	Jun 30	\$60
	Sturgeon Bay	Door	Jul 1	Sep 30	\$74
	Wisconsin Dells	Columbia	Oct 1	Jun 30	\$60
	Wisconsin Dells	Columbia	Jul 1	Aug 31	\$82
	Wisconsin Dells	Columbia	Sep 1	Sep 30	\$60
Wyoming	Cody	Park	Oct 1	Apr 30	\$60
	Cody	Park	May 1	Sep 30	\$94
	Jackson / Pinedale	Teton And Sublette	Oct 1	Jun 30	\$85
	Jackson / Pinedale	Teton And Sublette	Jul 1	Aug 31	\$127
	Jackson / Pinedale	Teton And Sublette	Sep 1	Sep 30	\$85

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SECTION 7: OTHER POLICIES RELATING TO EMPLOYMENT

- 7.1 Network and Internet Access Policy
- 7.2 Electronic Mail Policy
- 7.3 Personnel Commission
- 7.4 Cell Phone Policy

7.1 NETWORK AND INTERNET ACCESS POLICY

7.11 Policy

Navajo County hereby establishes a policy with regard to use of the County's computer network and equipment in general and its use to access the Internet. The County intends to stand by the points set forth below but must reserve the right to change them at any time as may be required. Enforcement of the policy and any disciplinary action based on it will conform to existing County practices and policies.

- A. The County maintains a computer network and associated equipment with Internet access available to many County employees. This system is provided to assist in the conduct of the County's business within and among the County departments and with outside agencies, vendors and the public.
- B. The computer network system hardware is County property. Additionally, all data transiting that system are and remain the property of the County and substantially all are regarded as public records under applicable state law. They are not the property of any employee and thus not subject to an expectation of privacy. Standards for retention, deletion and purging of files, data, programs and the like shall be determined by each department or office according to its needs and any applicable state or federal laws. With the permission of the Elected Official or Department Director, County employees may use the Internet for reasonable personal use so long as all such use is consistent with these policies and does not interfere with the conduct of County business. The Elected Official or Department Director may restrict or prohibit personal use of the Internet on an individual or collective basis.
- C. The County's computer network and equipment should not be used to solicit or advocate for or to respond to or participate in commercial ventures, religious or political causes, outside organizations, or other non-job-related undertakings. The County's computer network and equipment may be used as required by the job or function performed by the person on behalf of the County or to access Navajo County employee benefit and compensation information.
- D. The County's computer network and equipment is not to be used to create, acquire or circulate any obscene, offensive, illegal, derogatory or disruptive messages or material. The County's policies concerning harassment and discrimination apply with equal force to all methods of communication, including electronic mail, message boards, chat rooms, and to any materials which can be viewed, heard, stored, or otherwise manipulated using the County's computer network and equipment.
- E. The County's computer network and equipment should not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization or contrary to restrictions imposed by the materials' owner.

(7.11 cont.)

- F. The County reserves the right to review, audit, intercept, access, and disclose all data transiting the County's computer network and equipment for any purpose, at any time, with or without notice.
- G. Employees should not use a code, access a file, or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages or files without the latter's permission. Management and administration of passwords, codes and encryptions will be the responsibility of the Information Technology Department and its system administrator in consultation with Department Directors/Elected Officials. Interference with such administration will be addressed on a case-by-case basis in conformity with existing County disciplinary practices and policies.

7.12 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee

7.2 ELECTRONIC MAIL POLICY

7.21 Policy

Navajo County hereby establishes a policy with regard to use of the County's Electronic Mail (e-mail). The County intends to stand by the points set forth below but must reserve the right to change them at any time as may be required. Enforcement of the policy and any disciplinary action based on it will conform to existing County practices and policies.

- A. Navajo County maintains an e-mail system. The system is provided by Navajo County to assist employees with their job functions. All messages written, sent or received on the e-mail system are the property of Navajo County and may constitute intellectual property of the County.
- B. Except as noted below, employees have no expectation of privacy in their e-mail. E-mail messages may be subject to disclosure as Public Records unless they fall into an exemption recognized by statute or law. E-mail may also be monitored, reviewed, audited, accessed or disclosed by Navajo County. Employees should be aware that even when a message is erased, it is still possible to retrieve and read the message. Further, the use of passwords for security does not guarantee confidentiality. Therefore, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical and lawful.
- C. No electronic messages created, received or sent over the internet by or to an employee or agent of the Navajo County Attorney's Office may be monitored or accessed without the prior written authorization of the Navajo County Attorney or his designee.
- D. Non-exempt employees are prohibited from accessing the County e-mail system from home or other non-County computers during non-working hours. A non-exempt employee may be allowed such access for a specific date and time period with the written approval of the employee's Department Director or Elected Official on a case- by-case basis.
- E. Employees should not use a code, access a file, or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages or a file without the latter's permission. Management and administration of passwords, codes and encryptions will be the responsibility of the County's Information Technology Department and its system administrator in consultation with Department Directors/Elected Officials. Interference with such administration will be addressed on a case-by-case basis in conformity with existing County disciplinary practices and policies.
- A. E-mail should not be used for: non-job-related solicitations; religious or political causes; creating offensive or disruptive messages that contain sexual references or that offensively address race, color, religion, gender, national origin, sexual

(7.21 cont.)

orientation, age, physical or mental disability, or veteran status; transmitting graphic images unrelated to County business; issuing or forwarding "chain mail" or advertisements (unless they are approved or sponsored organizations benefiting County employees); uploading or downloading copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization; retrieving or reading, without the sender's approval, any e-mail messages not intended for the employee; any activity that violates established County policy.

- G. Standards for retention, deletion and purging of e-mail shall be determined by each department or office according to its needs and any applicable state or federal laws. Communication subject to an existing public records request or to formal discovery in ongoing litigation will be preserved in the appropriate file or word processing system.

7.22 Coverage:

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the "at will" status of an unclassified employee.

7.3 PERSONNEL COMMISSION

7.31 Purpose

The Personnel Commission is the elected voice of County employees and serves as an avenue and forum to recommend and/or take action relevant to the following:

- A. The Personnel Commission is authorized to offer to the County Board of Supervisors positive, practical recommendations regarding employment matters. The recommendations shall be placed on the Board's agenda and discussed at a scheduled meeting of the Board as necessary.
- B. The Personnel Commission shall be authorized and responsible to select a vendor to operate the lunch room kitchen.
- C. The Personnel Commission shall be authorized and responsible to select vendors to place vending machines on County owned buildings or property.
- D. All funds raised by the commission shall be used solely for the authorized purpose of the Commission.
- E. The Personnel Commission shall organize and operate County employees' social functions and activities with prior approval of the Board of Supervisors. This may include an annual picnic and Christmas Party. Members shall be free from reprisal for any recommendations made by the Personnel Commission.

7.32 Commission Structure

- A. Seven full-time regular classified County employees shall be elected to the Personnel Commission by secret written ballot. One Department Director and one Elected Official shall also serve as commission members. One full-time regular classified Judicial Branch employee shall serve as a non-voting member.
 - 1. One full-time classified employee from each of the following "districts" shall be elected: Show Low/Pinetop/Lakeside, Taylor-Snowflake-Heber/Overgaard, and Holbrook/Winslow.
 - 2. Four full-time classified employees will be elected from Holbrook.
 - 3. One Department Director will be appointed by the County Manager. The Department Director shall be appointed during the second week of December. (Consecutive terms are permissible)
 - 4. Elected Officials will select their representative to serve on the Personnel Commission. The Elected Official shall serve a one-year term. (Consecutive terms are permissible)
 - 5. The Judicial Branch employee shall serve a two-year term and be appointed by the Presiding Judge on even number years. (Consecutive terms are permissible)
 - 6. Employees must obtain prior approval from the Department Director or Elected Official to run for office.
- B. For the seven (7) full-time regular classified County employees, the following staggered terms will apply:

(7.32, cont.)

1. Three (3) members shall be elected on even numbered years for a two-year term.
 2. Four (4) members shall be elected on odd numbered years for a two-year term.
- C. Commission Officers
The Personnel Commission shall elect a Chairman, Vice-Chairman and Secretary to serve for the calendar year. Election of officers shall occur during the first regularly scheduled meeting of the calendar year following seating of newly elected members

7.33 Eligibility

Any regular full-time classified County employee who has completed a minimum of one full year of employment with Navajo County and receives written authorization from his/her Department Director or Elected Official shall be eligible for election to the Personnel Commission.

7.34 Personnel Commission Election Process:

An election shall take place to elect the appropriate employee representatives. The employees receiving the most votes for each contested appointment shall be seated on the Personnel Commission.

- A. A Nomination Form shall be sent to each department in Navajo County by the first week of November each calendar year and any full time regular employee desiring to serve on the Commission shall submit the form to the Personnel Commission by the third week of November so ballots can be prepared.
- B. The employees' election shall be by secret ballot and shall be held during the first week of December of each calendar year. All classified County employees are eligible to vote.
- C. Ballots shall be prepared by district and shall contain only the names of eligible employees.
- D. The final election results shall be forwarded to each department.
- E. New Commission members shall be seated on or about January of each calendar year.
- F. If no qualified employee is elected from any district identified in 7.32 (A) (1), the resulting vacancy shall be filled at the first regular scheduled meeting of the Personnel Commission following installation of new members and election of new officers.

(7.34 cont.)

1. The name of any non-successful candidate from any district may be placed in nomination by a sitting Commission member.
2. If there are no "non-successful" candidates, a regular employee may be nominated.
3. The nominee need not work in or be assigned to the district in which the vacancy exists.
4. The nominee may not work in the same department as a sitting Commission member.
5. Election shall be by a three-fourths majority of the sitting Commission members.
6. If no qualified candidate receives the required majority, a sitting Commission member may place in nomination the name of any non-classified County employee.
7. The term of office of a member elected under these provisions shall serve for the remainder of the term of the open seat.
8. An employee elected under these provisions shall be subject to the approval of the Department Director or Elected Official.

G. Election Protests

A full-time regular Navajo County employee may protest a Personnel Commission election under the following conditions:

1. The protest must be in writing and shall state the reasons for the protest;
2. The protest must be filed with the Human Resources Director within five (5) working days after the election is conducted.
3. Each election protest will be reviewed by the Human Resources Director and if found to be appropriate, will be forwarded to the Personnel Commission for action and recommendation to the Board of Supervisors.
4. The Personnel Commission recommendation will not become final until reviewed and approved by the Board of Supervisors.

7.35 Commission Meetings

The Personnel Commission shall meet once a month on a regular schedule. Special meetings may be required to complete Commission Business. All meetings are subject to and shall be conducted in accordance with the "Arizona Open Meeting Act, ARS 38-431, et seq."

- A. Quorum. A majority of the Commission members shall constitute a quorum and may transact business. If a quorum is not present for a meeting, the Commission may not transact business.
- B. A special meeting of the Personnel Commission may be called by the Chairperson in situations that require a decision or other action by the

(7.35 cont.)

Commission before the next regularly scheduled meeting. Special meetings shall be limited to circumstances that involve significant financial loss, inconvenience or other detriment to the interests of the Commission, the employees of Navajo County, or third parties.

1. A special meeting may be called by the Chairperson only with the concurrence of the Vice-Chairperson, or a majority of the Commission members. Such concurrence may be obtained by the Chairperson in person or by telephone.
2. In obtaining the concurrence required under "1" above, the Chairperson shall explain the necessity for the special meeting. The necessity shall also be stated in the minutes of the special meeting.
3. Members of the Personnel Commission may attend a special meeting in person or by telephone.
4. Notice and the agenda of the special meeting shall be posted at least twenty-four (24) hours before the meeting in accordance with the Open Meeting Law.
5. In the case of an actual emergency, notice and the agenda shall be posted within twenty-four (24) after the special meeting has been held in accordance with the Open Meeting Law.

C. Minutes

The Commission Secretary shall record in the minutes the time and place of each Personnel Commission meeting, the names of Commissioners present, all official acts of the commissions and the results of each vote on action items.

1. The Secretary shall post the agenda for each regular meeting 24 hours prior to the meeting.
2. The minutes of each meeting shall be documented and presented to the Commission for approval and/or correction at the next regular meeting and shall be open and available for public inspection.

D. Release Time for Commission Members

1. Members of the Personnel Commission shall be given reasonable release time by their Department Director or Elected Official for travel, if necessary, and to attend scheduled Commission meetings. This also includes time to gather or provide information to those employees the member represents.
2. Special events require prior approval of the County Manager before release time is authorized.

7.36 Member Resignation/Declared Vacancy

- A. A Personnel Commission member may resign by submitting a letter of resignation to the Commission Chairperson with an effective date of the first of the month following thirty (30) days notice.
- B. If a commission member compiles three consecutive unexcused absences from regularly scheduled meetings, that position shall be declared vacant. Such member shall be notified of the intent to declare his/her office vacant and will be given the opportunity to defend their position. Absences are excused if due to illness, job related requirements, or inclement weather.
- C. Any resignation/declared vacancy of membership before the term of office expires shall be filled by Commission appointment for the balance of the term of office.

7.37 Board of Supervisors

The Board of Supervisors shall, in good faith, consider the Personnel Commission's constructive recommendations and openly discuss the content of those recommendations at a regularly scheduled meeting of the Board. The Board shall convey to the Personnel Commission its decision regarding the recommendation(s) either through the Human Resources Director, or directly, if Commission members are present.

7.38 Commission Budget

- A. The Personnel Commission shall prepare an annual operating budget consistent with the County's budgeting process. The budget shall be prepared in an open meeting.
- B. The Finance Director shall be the administrator of the Commission's funds and will provide monthly financial reports to the Commission Treasurer.

7.39 Annual Report

The Personnel Commission shall prepare an annual report of the Commission's activities for approval by the Board of Supervisors. The report shall be presented at a regular Board meeting and will cover the activities for the fiscal year.

7.4 CELL PHONES

7.41 PURPOSE

Cell phones are of special concern to the Internal Revenue Service (IRS). This is because cell phones that are provided to employees for business use can easily be used for personal use.

Under the IRS regulations, the entire value of the use of a cell phone provided to an employee for business use will be taxable as income to the employee unless the employer has a policy or plan that (1) requires the employee to keep (and provide to the employer) careful records showing business and personal calls, and (2) requires the employee to reimburse the employer in a timely manner for all personal calls.

The personal use of cell phones is likewise a concern under the provisions of the Arizona Constitution and the Arizona Revised Statutes that prohibit the County from making gifts of public property or paying additional compensation to employees.

This policy is intended to comply with the Arizona laws and the IRS regulations regarding cell phones, and to minimize the income tax consequences for employees.

7.42 COVERAGE

This policy applies to all classified and unclassified positions. Nothing in this policy modifies or waives the “at-will” status of an unclassified employee.

7.43 CELL PHONE ALTERNATIVES

As is described more fully in Sections 7.44 and 7.45, there are two alternatives regarding the use of cell phones for County business: (1) A County-owned cell phone is issued to the employee, or (2) the County pays a monthly stipend to the employee to subsidize the employee’s use of the employee’s personal cell phone for County business.

The decision as to whether an employee requires a cell phone for County business (and, if so, which alternative is most appropriate to meet the employee’s needs) will be made by the Department Director or Elected Official for whom the employee works, subject to approval by the County Manager. No employee is entitled to either of the alternatives set forth in this policy. These alternatives are only for those employees for whom a cell phone for County business is a legitimate necessity, as determined by the Department Director or Elected Official with the approval of the County Manager.

7.44 COUNTY-OWNED CELL PHONE ISSUED TO EMPLOYEE

The following provisions apply to those employees for whom the most appropriate alternative is the issuance of a County-owned cell phone:

(7.44 cont.)

- A. The phone is County property. As with any County property, the employee shall be responsible for the loss or damage of the phone due to abuse or negligence by the employee.
- B. The County shall contract with the cell phone provider for an appropriate service plan and shall receive and pay the monthly bills.
- C. The phone is intended for use in County business. Personal use shall be kept to a minimum. The phone is not for use by anyone other than the employee.
- D. The employee shall review each monthly bill, identify any personal calls and the purpose of County business calls, and attest to the accuracy of the phone usage as shown on the marked-up bill. The marked-up bill shall be reviewed with the designated fiscal manager in the employee's Department. Both the employee and the reviewing manager shall sign the bill.
- E. Personal calls shall be reimbursed to the County at the rate of 30¢ per minute. This rate will reimburse the County for a pro rate share of the base monthly service charge and any additional charges associated with a personal call. Payment shall accompany the marked-up bill, which shall be forwarded to the Finance Department by the employee's Department management in a timely manner. The Finance Department will likewise review the marked-up bill and may require further explanation of any questionable charges.
- F. Strict compliance with this policy will avoid the value of the use of the County-owned phone being included in the employee's taxable income.
- G. Any violation of this policy, including without limitation any untruthfulness in regard to the personal use of the phone and any failure to reimburse the County for personal calls in a timely manner, may result in disciplinary action up to and including termination. A violation may also result in the entire value of the use of the phone being included in the employee's taxable income.

7.45 MONTHLY STIPEND PAID TO SUBSIDIZE EMPLOYEE'S PERSONAL CELL PHONE

The following provisions apply to those employees for whom the most appropriate alternative is the payment of a monthly stipend to subsidize the acquisition and use of the employee's personal cell phone for County business:

- A. The County shall pay the employee a monthly stipend, in an amount to be determined by the Board of Supervisors, to subsidize the employee's acquisition and use of a personal cell phone for County business. The stipend shall be in an amount determined by the Board to be sufficient to cover the reasonable anticipated use of the cell phone for County business.
- B. The employee shall choose the cell phone provider and service plan and shall contract with the provider in the employee's name.
- C. The employee shall receive and pay the monthly bills and shall be solely responsible for all other aspects of the contractual relationship with the provider.
- D. The employee is not required to account to the County for the personal or business use of the phone. However, the Finance Department may at any time

(7.45 cont.)

require verification that the cell phone contract is still in effect and that the phone is being used for County business.

- E. The stipend shall be included in the employee's first paycheck of each month. The entire stipend will be included in the employee's taxable income. (The employee may be entitled to a tax deduction for some of the business use of the phone, but this is a matter to be discussed with the employee's own tax adviser.)
- F. Any violation of this policy, including without limitation any untruthfulness in regard to the use of the stipend, may result in disciplinary action up to and including termination.

7.46 REIMBURSEMENT FOR OCCASIONAL USE OF PERSONAL CELL PHONE FOR COUNTY BUSINESS

If an employee who is not issued a County-owned cell phone pursuant to Section 7.44 and is not paid a stipend pursuant to Section 7.45 incurs charges due to unavoidable use of the employee's personal cell phone for County business, the actual charges may be reimbursed to the employee upon submittal of satisfactory documentation and approval by the employee's Department Director or Elected Official and the Finance Director.

7.47 CELL PHONE USE WHILE OPERATING A COUNTY VEHICLE OR TRAVELING ON COUNTY TIME.

Employees are prohibited from using a cellular phone or data device to send or receive text messages, surf the Internet, receive or respond to e-mail, or check for phone messages while driving in a County vehicle, on County time, or for a County purpose. If a cellular phone is used for placing or receiving calls, the County encourages its employees to utilize a hands-free device, or to pull off the side of the road to a safe location before making or receiving calls.

7.5 OUTSIDE EMPLOYMENT:

7.51 Policy

Navajo County recognizes that employees may find it necessary to engage in outside employment; however, each full-time employee's County position should be considered the employee's primary employment, and no regular County employee will be allowed to hold outside employment that conflicts with or unreasonably interferes with the County employment.

- A. A regular employee of the County may be employed in an outside job (including self-employment or a second position with the County) only if:
 - 1. The outside employment is disclosed on an Outside Employment Declaration form, which is available on the County's Internal Website or may be obtained from Human Resources.
 - 2. The employee's Elected Official or Department Director has acknowledged the outside employment.
 - 3. The outside employment does not create any actual or potential conflict with the employee's County position or duties.
 - 4. The outside employment will not impair the employee's ability to perform the employee's County duties and responsibilities. This includes neglect of duty, absence from or tardiness to the workstation and performing duties associated with the outside employment during normal County work hours.
 - 5. The outside employment will not result in overtime liability to the County under the provisions of the Fair Labor Standards Act.
- B. An employee may not concurrently hold two full-time positions with the County.
- C. An employee on Workers' Compensation, Sick Leave or FMLA Leave shall not work at outside employment.
- D. If outside employment is determined at any time to create a conflict of interest, to impair the employee's ability to perform County duties and responsibilities, or to create a risk of overtime liability to the County, the employee's Elected Official or Department Director may require the employee to give up the outside employment..
- E. As used in this policy, "employment" refers to regular and ongoing part- or full-time employment, contract work, or self-employment. It does not include occasional or sporadic work that does not require a significant commitment of time by an employee.